REPORTS

ON

CIVIL JUSTICE IN BURMA

FOR

THE YEAR 1890.

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RANGOON:

PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRINTING, BURMA.

1891

TABLE OF CONTENTS.

RESOLUTION BY THE CHIEF COMMISSIONER.

	Para.	Page.
Civil litigation	1	1
Disposal of business	2	2
Execution of decrees	3	ib.
Appeals	4	3
Cost of litigation	5	ib.
Advocates	6	4
Inspection	7	ib.
Services of Mr. Ward	8	ib.
First report of Upper Burma	9	ib.
Amount and classification of litigation	10	5
Disposal of business	11	16
Execution of decrees	12	7
Appeals	13	ib.
Cost of litigation	14	ib.
Inspection	15	8
Acknowledgment of the Chief Commissioner	16	ib.

CIVIL JUSTICE REPORT, LOWER BURMA, FOR 1890.

PART I.

COURTS EXERCISING JURISDICTION IN THE TOWN OF RANGOON.

Special Court of Lower Burma.

	Para.	Page.
Regular appeals preferred	1	1
Work of past two years	2	ib.
Miscellaneous appeals	3	ib.
References by Recorder of Rangoon	4	ib.
Miscellaneous applications	5	2
Revenue and expenditure	6	ib.
Judges during the year	7	ib.
Court of the Recorder of Rangoon.		
Work of the year and fees realized	1	3
Results	2	ib.
Insolvency Jurisdiction.		
Particulars of the insolvency business	3	4
Probates and letters-of-administration	4	ib.
Applications for revision	5	ib.
References by Small Cause Court	6	ib.
Results of appeals preferred to High Court, Calcutta	7	ib.
Appeals preferred to High Court, Calcutta, during year	8	5
Result of appeals to Privy Council	9	ib.
Receipts and expenditure	10	ib.
The Court of Small Causes.		
Suits instituted and decided	11	5
Values of suits instituted	12	ib.
Total amount in litigation	13	ib.
Suits disposed of	14	ib.
Applications for execution of decree	15	ib.
Suits disposed of by Judge	16	6
Suits disposed of by Additional Judge	17	ib.
Value of court-fee stamps	18	ib.
Receipts and expenditure	19	ib.

PART II.

COURTS UNDER THE SUPERVISION OF THE JUDICIAL COMMISSIONER.

Submission of report	1	7
I.—Original Jurisdiction.		
Suits instituted	2	7
Total number of suits since 1881	3	ib.
Cases instituted in different Courts of original jurisdiction	4	8
Character of litigation	5	9
Value of original suits	6	10
Disposal of litigation	7	11
Average duration of suits	8	12
Applications for execution of decree	9	14
Issue of processes of execution	10	15
Insolvents	11	16
II.—Appellate Jurisdiction.		
Number and result of appeals preferred to District Courts	12	17
Number and result of appeals to Commissioners' Courts	13	18
Regular appeals in Court of Judicial Commissioner	14	19

BENGAL SECRETARIAT LIBRARY.

	Para.	Page.
Number and result of miscellaneous appeals	15	20
Application for revision	16	ib.
Additional work of Judicial Commissioner	17	21
III.—Miscellaneous.		
Financial result of rules framed under section 20 of the Court Fees Act	18	21
Cost of litigation	19	22
Advocates	20	ib.
Inspection	21	23
Judicial Commissioner's circulars	22	25
Charge of office	23	ib.

CIVIL JUSTICE REPORT, UPPER BURMA, FOR 1890.

Submission of report	1	1
Appointment of Judicial Commissioner	2	ib.
I.—Original Jurisdiction.		
Original suits	3	1
Number of suits instituted since 1888	4	ib.
Number of cases instituted and disposed of in different Courts	5	ib.
Character of litigation	6	3
Increase of cases in which immoveable property is involved	7	4
Value of original suits	8	ib.
Disposal of litigation	9	5
Average duration of suits	10	6
Applications for execution of decree	11	7
Issue of processes	12	8
Result of appeals preferred to District Courts	13	9
Appeals to Commissioners' Courts	14	10
Regular appeals to Court of Judicial Commissioner	15	ib.
Miscellaneous appeals to Court of Judicial Commissioner	16	11
Applications for revision to Judicial Commissioner	17	ib.
III.—Miscellaneous.		
Financial result of rules framed under section 20 of the Court Fees Act	18	12
Inspection	19	ib.
Work of Judicial Commissioner	20	13

LOWER BURMA, APPENDICES.

	Page.
1 (Civil).—Statement showing the number of judicial divisions and the number of officers exercising appellate or original jurisdiction in Lower Burma on the last day of the year 1890, with the cost of tribunals	ii.
7 (Civil).—Statement showing the number and description of suits instituted in the Civil and Revenue Courts in Lower Burma in the year 1890	iii.
8 (Civil).—Statement showing the number and value of suits instituted in the Civil and Revenue Courts in Lower Burma in the year 1890	iv.
9 (Civil).—Statement showing the general result of the Civil and Revenue cases in the Courts of original jurisdiction in Lower Burma in the year 1890. Part I.—Civil suits ...	v.
9 (Civil).—Statement showing the general result of the trial of Civil and Revenue cases in the Courts of original jurisdiction in Lower Burma in the year 1890. Part II.—Miscellaneous cases (Judicial)	vi.
10 (Civil).—Statement showing the business of the Civil and Revenue Appellate Courts in Lower Burma in the year 1890. Part I.—Appeals from decrees	vii.
10 (Civil).—Statement showing the business of the Civil and Revenue Appellate Courts in Lower Burma in the year 1890. Part II.—Miscellaneous appeals (Judicial) ...	viii.
11 (Civil).—Statement showing the result of proceedings on applications for the execution of the decrees of the Civil and Revenue Courts in Lower Burma in the year 1890 ...	ix.
Statement showing the total value in litigation and costs for all classes of Civil cases, including executions of decrees and other miscellaneous applications, disposed of in the different classes of Courts in Lower Burma during the year 1890 ...	xii.

UPPER BURMA, APPENDICES.

	Page.
1 (Civil).—Statement showing the number of judicial divisions and the number of officers exercising appellate or original civil jurisdiction in Upper Burma on the last day of the year 1890 with cost of tribunals	ii.
7 (Civil).—Statement showing the number and description of civil suits instituted in the Civil Courts of Upper Burma for the year 1890	iii.
8 (Civil).—Statement showing the number and value of suits instituted in the Civil Courts in Upper Burma for the year 1890	iv.
9 (Civil).—Statement showing the general result of the trial of civil suits in the Courts of original jurisdiction in Upper Burma for the year 1890	v.
10 (Civil).—Statement showing the business of the Civil Appellate Courts in Upper Burma for the year 1890. Appeals from decrees	vi.
10 (Civil).—Part II, for the year ending 31st December 1890—Blank.	
11 (Civil).—Statement showing the result of proceedings on applications for the execution of the decrees of the Civil Courts in Upper Burma for the year 1890	vii.
12 and 13 (Civil).—For the year ending 31st December 1890—Blank.	
Statement showing the total value in litigation and cost for all classes of civil cases, including execution of decrees and other miscellaneous applications, disposed of in the different classes of Courts in the districts of Upper Burma for the year 1890 ...	viii.

BY ORDER OF THE LIEUTENANT-GOVERNOR OF BENGAL

RESOLUTION

ON

THE REPORTS ON CIVIL JUSTICE IN BURMA

FOR

THE YEAR 1890.

Extract from the Proceedings of the Chief Commissioner, Burma, in the Judicial Department,—No. 25-88B. dated the 7th August 1891.

READ—

Reports by the Judges of the Special Court, the Recorder of Rangoon, and the Judicial Commissioners, Lower and Upper Burma, on the administration of civil justice in their respective jurisdictions during the year 1890.

LOWER BURMA.

RESOLUTION.—In the remarks which follow the two divisions of the province will be separately dealt with. In Lower Burma the very exceptional increase in litigation noticeable in the figures of 1889 and commented on in the Chief Commissioner's Resolution on the civil justice administration for that year has not been continued into 1890. The following table shows the fluctuation in the institution of civil suits during the past seven years:—

1884	35,478
1885	33,967
1886	32,485
1887	32,367
1888	34,846
1889	37,904
1890	35,730

The figures above tabulated indicate the effect produced on the litigation of the country by the disturbances consequent on the annexation of Upper Burma. The decrease that took place in 1885 was, in all probability, due to those disturbances. In 1886 and 1887 the same causes continued to operate. But in 1888 the tide may be said to have turned. The increase in litigation during that year was attributed to the cessation of the causes which had impeded the resort of the people to the Courts, and by the end of 1889 a normal degree of tranquillity had been restored and litigation reached the highest point ever yet attained in Lower Burma. The figures for the year under review, however, leave little doubt that this very large increase was due to the working-off of arrears. Leaving out of consideration the five years affected, favourably or unfavourably, by the annexation of Upper Burma and comparing the present figures with those of 1884 and previous years, it will be seen that litigation has not increased to any remarkable extent during the past decade. In Rangoon town the number of regular suits in the Recorder's Court fell from 271 to 172 and in the Small Cause Court rose from 4,839 to 4,916. The decrease in the Recorder's Court is attributed to the extension of jurisdiction given to the Small Cause Court by the Lower Burma Courts Act, 1889.

Classified according to their nature and origin there is but little difference between the returns of suits in the year under review and in that immediately preceding it. Almost the only fact that calls for comment in the statement embodying the statistics under this head is the decrease in suits for immoveable property. This decrease, which is common to all the divisions of Lower Burma, except the Irrawaddy division, where an insignificant increase is apparent, is peculiar, but its probable cause has not been stated by the Judicial Commissioner. In spite of a decrease in institutions the value of the cases disposed of in 1890 was greater than in 1889. This increase was slight in the Arakan division, and was especially marked in the Rangoon Town Courts. The Small Cause Court disposed of cases valued at Rs. 6,19,239 against Rs. 4,51,724 and the Recorder of cases valued at Rs. 21,73,565 against Rs. 9,28,787. In the Moulmein Town Judge's Court the value of business adjudicated rose from Rs. 6,46,608 to Rs. 6,61,246, and there was a remarkable increase in the value of institutions from Rs. 4,83,700 to Rs. 8,39,796. The total value of institutions in the lower province was Rs. 44,94,351 against Rs. 44,46,735 and of cases disposed of Rs. 56,54,537 against Rs. 41,93,334.

Disposal of business.

2. The statements showing the manner in which litigation has been disposed of during 1890 call for no special remark. As in 1889 arbitration has been freely resorted to in the Arakan Hill Tracts and also in Thôngwa. The average duration of contested suits rose during the year under review from 21 to 23 days and that of uncontested suits from 13 to 16. The Chief Commissioner is glad to see that in the Moulmein Judge's Court the average duration of cases was considerably reduced and he concurs in the praise bestowed by Mr. Ward on this Court. In the town of Rangoon the conditions that determine the duration of suits are exceptional, and the averages of the Small Cause Court which were for contested cases 23 against 25 in 1889 and for uncontested 23 against 21 days, were not excessive. In the Recorder's Court there was a considerable increase in the average duration of cases. In his report for 1889 Mr. Ward announced his intention of testing the correctness of the calculations regarding the duration of suits, but the matter was overlooked. The Chief Commissioner will be obliged if the present Judicial Commissioner will take up the proposed enquiry.

Execution of decrees.

3. There were during the year 10,955 applications for execution of decrees against 11,178 in 1889. The decrease is proportionate to the general diminution in the number of suits instituted. The details given show that exactly the same percentage of these applications was wholly infructuous during the year under review as in the previous year and in 1887, but a larger proportion than hitherto of the successful applications were wholly and not only partially satisfied. Although the number of persons imprisoned in civil cases slightly increased, yet the operation of the Debtors Act, which was commented on in the last two Resolutions, is evidenced by the fact that the imprisonments, 177 in number, were less than half the total of 1887. After making allowance for the fact that many plaintiffs attain the object of their suits without certifying the satisfaction of the decree to the Court, the Chief Commissioner thinks that the results of execution proceedings are the least satisfactory part of the administration of the Civil

Courts. He would like the Recorder and the Judicial Commissioner to consider whether the provisions of Chapter XXXIX of the Civil Procedure Code might not be extended to the Rangoon Small Cause Court and to certain selected Courts in the interior.

Appeals.

4. The number of appeals presented in the lower Appellate Courts of the province fell from 1,399 in 1889 to 1,294 in 1890. The returns show that appeals are more frequently resorted to in the Irrawaddy division than in any other part of Lower Burma, and the highest number of appeal cases disposed of in any district Court during the year under review was 183, which were heard by the Deputy Commissioner of Bassein. The Chief Commissioner notes with satisfaction that, in spite of the large number of cases disposed of, the duration of appeals in the Bassein district has diminished considerably since last year. This matter was commented upon by the Judicial Commissioner in his report for 1889 and the improvement in this year's figures shows that attention has been paid to the Judicial Commissioner's remarks. The returns of the Deputy Commissioner's Court at Shwegyin are unsatisfactory as indicating both the long delay that has occurred in the disposal of appellate business and the ignorance that must have existed in the past about the correct method of calculating the duration of appeals. The proportion of confirmations to appeals heard was 65 per cent., being a little lower than in 1889.

There was an increase in the regular appellate work of the Judicial Commissioner's Court during the year under review. One hundred and forty-eight regular appeals were instituted and one hundred and sixty-seven disposed of. The percentage of decrees confirmed was larger than in previous years. During the year the Judicial Commissioner disposed of 22 applications for revision of the judgments of inferior Courts. In Rangoon the number of applications to the Recorder for revision of judgments or orders of the Small Cause Courts was 52, being six more than in 1889. There were also four references made to the Recorder from the Small Cause Court.

Cost of litigation.

5. The reduction in the proportion of the total cost of litigation to the total value of suits is gratifying. The percentage in original suits fell from 10·61 in Rangoon and 14·87 in the rest of Lower Burma to 6·72 and 14·30 respectively. The result of the rules framed for regulating the fees chargeable for the service of processes and the remuneration of process-servers of Civil Courts is on the whole satisfactory. In all the districts of the lower province but three the receipts under these rules exceeded the expenditure and left a balance in favour of the Courts which, if not quite as large as in 1889, is sufficient to show that the system is economical and successful. Since the close of the year under review the new system, adverted to by the Judicial Commissioner in his report, by which the criminal, civil, and revenue process-serving establishments have been amalgamated, has come into force. It is believed that some economy will be effected by its introduction. The Chief Commissioner thinks it would be an advantage if a statement similar to that inserted in paragraph 18 of Mr. Ward's report could be prepared for the Courts in Rangoon and inserted in the Recorder's annual report.

6. The Judicial Commissioner's action with regard to the licensing of Advocates has the entire approval of the Chief Commissioner. The rolls have now been thoroughly revised. All Advocates at present practising in the lower province have been identified and rules are now under consideration, which render the annual renewal of the licenses of the lower grades of Advocates compulsory and effect some other improvements in the present system.

Advocates.

7. The Chief Commissioner concurs with the Judicial Commissioner in his opinion that the amount of inspection performed during the year in many of the districts of Lower Burma by Deputy Commissioners leaves much to be desired. The Courts in Mergui, which in 1889 were reported as having been insufficiently inspected, have, the Chief Commissioner is glad to observe, been inspected thoroughly during the year under review, but at Prome the defect has not been cured. The Chief Commissioner considers that the Commissioners of the Irrawaddy, Arakan, and Tenasserim Divisions should have been able to spare as much time for inspection as the Commissioner of Pegu, who has reported on the Courts at one district, five subdivisional, and fifteen township headquarters in his division.

Inspection.

8. Mr. Ward was in charge of the office of Judicial Commissioner of Lower Burma throughout the year. He has since left the province for Assam, but was able to complete and submit the Civil Justice Report before his departure. The Chief Commissioner wishes to place on record his appreciation of Mr. Ward's services in purging the roll of Advocates and in consolidating and amending the rules of practice relating to process and other fees, the keeping and destruction of records, the custody of attached property, and other similar matters. The administration of civil justice in Lower Burma has been much improved during Mr. Ward's tenure of office. Mr. Agnew, who was Recorder of Rangoon throughout the year, affected a much needed reform by promulgating rules for regulating the practice and procedure of his Court.

UPPER BURMA.

9. This is the first year in which a Judicial Commissioner has submitted, or in which the Chief Commissioner has formally reviewed, the statistics of the administration of civil justice in the whole of Upper Burma. For the years 1887, 1888, and 1889 reports were submitted by Commissioners of Divisions; they were necessarily wanting in statistical details because regular registers and returns were not prescribed till July 1889. They contained, however, a record of the more salient facts and provide to a certain extent materials for comparison with the work of later years. In May 1889 Commissioners of Divisions acting as Judicial Commissioners were invited to prescribe forms, registers, and returns for the Courts subordinate to them. A draft was prepared from the rules in force in Lower Burma, omitting some registers and returns which were either totally inapplicable to Upper Burma or which were likely to contain so few entries that it was not worth while to keep them up. In July 1889 the four Commissioners adopted and promulgated these rules. The translation of the rules into Burmese and the issue and distribution of forms and register books necessarily took some time, and it was probably not much before the beginning of 1890 that the system was brought into working order. The

year 1890 was therefore the first in which the control of the administration of civil justice in the country districts of Upper Burma was brought into accord with the regular system prevailing in older provinces. In November 1890 Mr. Hodgkinson, the Judicial Commissioner, issued consolidated rules for the whole of Upper Burma. These were the same as the orders already in force and no derangement of returns was caused by them. The returns for 1890 should therefore have attained to a considerable degree of accuracy. But any comparison with the results of previous years must be made with the reservation that the figures of those years are certainly not complete and probably not accurate.

Amount and classification of litigation.

10. The number of suits instituted increased from 7,474 to 9,338. In the Civil Court at Mandalay there was a slight decrease of 49, which may be attributed to the reaction in trade of which the Judicial Commissioner speaks. The classification of suits according to character gives results closely approximating to the returns of the lower province. The following statement shows the percentage of the total number of suits which each class of suit furnished in the two provinces :—

	On written obligation.	On unwritten obligation.	On account stated.	For money had and received.	For goods sold.	For breach of contract not mentioned above.	For rent.	For moveable property or value thereof.	For damages.	For immoveable property or interest therein.	For specific performance of contract.	For dissolution of marriage or for enforcement of matrimonial rights.	Other suits.
Upper Burma	25·3	18	1·5	6·5	12·8	4·7	2	8	8·3	18	...	1·9	8
Lower Burma	23·	19·8	·7	4·4	16·3	6	2·9	9·4	10	4·3	...	2	1·7

From this it is evident that suits for immoveable property were proportionately more, and suits for damages and on written obligation proportionately less numerous in Upper than in Lower Burma. In the case of immoveable property the Judicial Commissioner explains that the rise in the value of land has stimulated litigation, which is fostered by the Burman customary law of title to land and division of ancestral property. These intricate cases may give trouble to the Courts, but the rise in land values is a matter for congratulation as it is one of the surest indications of prosperity.

The values of suits were in general low, but the average value of a suit was higher than in Lower Burma. While in Upper Burma 52 per cent. of the cases did not exceed Rs. 50 in value and 74 per cent. did not exceed Rs. 100, the percentages in Lower Burma were respectively 60 and 79. The average value of a suit was about Rs. 100 in Lower and Rs. 150 in Upper Burma. It would be convenient if in future the Judicial Commissioners in both Lower and Upper Burma could show in their reports the number of suits which do not exceed Rs. 20 in value, inasmuch as that sum is the maximum limit of a headman's jurisdiction under the Lower Burma Village Act and the Upper Burma Village Regulation, and it will be interesting to see to what extent the conferment of

civil judicial powers on headmen reduces the work of the regular tribunals. As yet no headmen have received such powers. Under the Civil Justice Regulation as originally enacted provision was made for appointing under the name of circle officers a class of civil judges, whom it was intended to recruit from the ranks of superior headmen, and to whom jurisdiction in suits up to the value of Rs. 50 was to be given. The power of establishing Circle Courts was very sparingly used, because the Circle Courts had to observe the regular procedure and few headmen were competent to carry it out. In March of this year, by Regulation VII of 1891, Circle Courts were abolished and power was taken by additions to the Upper Burma Village Regulation for the local Government to make rules regulating the procedure of the headmen whom, under other sections of the new Regulation, it was authorized to invest with powers to try civil suits of a value not exceeding Rs. 20. Rules for the abovementioned purpose are now under consideration and, after they are settled, selected headmen will be invested with powers under the Regulation. The experiment will be watched with interest as it is the policy of the Administration to preserve the native custom of having petty cases decided outside the regular Courts. The Judicial Commissioner may also consider the propriety of substituting Rs. 300 for Rs. 500 in his table of values, seeing that Rs. 300 is in Upper Burma the limit of a Township Court's Jurisdiction.

Disposal of business.

11. The manner in which business was disposed of was fairly satisfactory. There were more cases which had been pending for over four months at the close of 1890 in Upper Burma than in Lower Burma (excluding Rangoon) though the total number of cases disposed of was 9,281 in Upper and 30,626 in Lower Burma. But this was due to two chief offenders, the Myoôks of Sidoktaya and Ava, who should be warned to use more promptitude. The following table compares the manner of disposal of cases in Upper and Lower Burma :—

	Plaint rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*.	Contested cases. Judgment for plaintiff in whole or part.	Contested cases. Judgment for defendant.	Referred to arbitration.	Total number of cases disposed of (excluding those transferred).
Upper Burma ...	·9	12·1	1·8	15·9	11·1	10·9	4·8	28·6	11·6	8·8	9,281
Lower Burma	·7	24·	1·6	5·4	14·4	15·	1·9	25·	11·2	·8	30,626

The Chief Commissioner considers that the disposal of cases *ex parte* should be carefully watched as there is reason to believe that Courts in the interior are apt to give *ex parte* decrees without sufficient proof that summons has been served on the defendant. The Chief Commissioner observes that the number of cases referred to arbitration varied from 95 in Yamèthin to none in the neighbouring district of Pyinmana. As the variations are probably due more to the

idiosyncrasies of the Judges than to any difference in the character of the suits or the suitors, the Chief Commissioner thinks it would be well for the Judicial Commissioner to direct the encouragement of references to arbitration, more especially in petty cases. The average duration of cases was 18 days in contested and 11 in uncontested cases, and this, if correct, is satisfactory; but the attention of the Judicial Commissioner, Upper Burma, is invited to Mr. Ward's remarks in paragraph 8 of the Lower Burma Report.

Execution of decrees.

12. The returns relating to the satisfaction of decrees are satisfactory. Sixty-nine per cent. of the applications for execution were wholly or partially successful, and there is reason to believe that of the remaining 31 per cent. some were satisfied out of Court, though payment was not certified. It is somewhat remarkable that the Courts in the Pyinmana district issued no processes of execution at all; but, if suitors attained their objects without them, the fact is not to be regretted. The form of Statement No. 11 differs, without any apparent reason, from that prescribed by the Government of India. In next year's report the form in use in Lower Burma should be adopted with slight modifications as local peculiarities may demand.

Appeals.

13. The number of appeals preferred to Deputy Commissioners against decrees of Lower Courts was 520. In 310 cases, that is, in more than 62 per cent. of the total, the judgments of the Lower Court were confirmed. This result closely approximates to the 65 per cent. of confirmations in Lower Burma. The average duration of appeals was 30 days, or four days longer than in Lower Burma. Considering the small number of appeals and the simplicity of most of the issues involved the average duration should have been less. The Chief Commissioner notes with particular dissatisfaction the average of 102 days in the Pakôkku Deputy Commissioner's Court, which is nearly double the highest average (52) in Lower Burma. The Judicial Commissioner heard 27 and the four Commissioners (sitting as Judicial Commissioners before Mr. Hodgkinson's appointment) heard 23 regular appeals. The Commissioner of the Northern Division confirmed the judgment of the Lower Court in 12 out of 19 cases. The Commissioners of the Central, Southern, and Eastern Divisions, who had four cases between them, confirmed three and modified one. Out of the total number of appeals to the Judicial Commissioner and to the Commissioners sitting as Judicial Commissioners more than half were from judgments of the Civil Court of Mandalay. The number of appeals from other Courts to the Judicial Commissioner is very small. There were, however, 131 applications for revision, in 92 of which the judgments of the Lower Courts were confirmed. The Chief Commissioner trusts that care will be taken to prevent the abuse of section 81 of the Upper Burma Civil Justice Regulation by litigants who seek to obtain revision without a good excuse for not having appealed.

Cost of litigation.

14. The Chief Commissioner is glad to see that the Judicial Commissioner is about to propose a revision of the process-serving establishments, and he will be obliged if the Judicial Commissioner will consider, in communication with the Financial Commissioner, the advisability of amalgamating the judicial and revenue establishments and

assimilating the charges for processes of the two kinds. The percentage of total cost to total value in original suits varied from 22·57 in Pakôkku to 8·44 in Katha. On the average it was not excessive.

Inspection.

15. The Judicial Commissioner will no doubt arrange to obtain fuller information about District Officers' inspections for next year's report. The Chief Commissioner entirely concurs in the Judicial Commissioner's opinion as to the importance of frequent and systematic inspection, and observes with pleasure the account of the excellent work done by Mr. Todd-Naylor.

16. The Chief Commissioner's thanks are due to the Judicial Commissioner for his work in inspecting the Courts in 14 out of 17 districts, and for the improvements which he has introduced in forms, registers, and rules of procedure.

By order of the Chief Commissioner,

F. C. GATES,

Junior Secretary.

THE

CIVIL JUSTICE REPORT

OF

LOWER BURMA

FOR

THE YEAR 1890.

BENGAL SECRETARIAT LIBRARY

PART I.

Courts exercising Jurisdiction in the Town of Rangoon.

SPECIAL COURT OF LOWER BURMA.

DURING the year 1890 there were 13 regular appeals preferred from the decision of the Judge of the Court of the Town of Moulmein as against nine in the previous year, five were pending at the close of the year 1889, making in all 18 appeals for disposal. Of these 15 were disposed of and three were pending at the close of the year under review.

2. The following comparative table shows the work of the past two years :—

Year.	Number of appeals pending at the close of the previous year.	Number of appeals presented during the year.	Total for disposal.	Result.					
				Confirmed.	Dismissed.	Modified.	Reversed.	Remanded.	Pending.
1889 ...	2	9	11	...	5	...	1	...	5
1890 ...	5	13	18	...	13	1	1	...	3

3. Besides the above there were two Miscellaneous appeals, one from an order passed by the Judge of the Court of the Town of Moulmein and the other from an order passed by the Recorder of Rangoon in his Insolvency jurisdiction. Both these appeals were disposed of during the year.

4. There were two references made to this Court by the Recorder of Rangoon; one was made under section 66 of the Lower Burma Courts Act, XI of 1889, and the other under section 17 of Act IV of 1869.

The point in the first reference was as follows. A person was adjudicated an insolvent on the petition of a creditor, and he was ordered by the Officiating Recorder to file the usual schedule within a certain time. The insolvent having failed to comply with this order within the time specified, the schedule was prepared by the Chief Clerk of the Recorder's Court and eventually a dividend was declared by the Official Assignee. Subsequently the insolvent filed his schedule and applied for his personal discharge, but the Officiating

Recorder refused the application on the ground that filing a schedule under section 12 of the Insolvent Act more than three years after the time fixed by the Court for filing it, and after a dividend had been declared, was not a sufficient compliance with the Act. Subsequently, on the 3rd December 1889, the insolvent was again adjudicated an insolvent on his own petition. He then applied for his personal discharge and the question was referred by the Recorder whether the petitioner could be discharged, having failed to obtain his discharge under the former proceedings. It was held by the Special Court that it was open to the petitioner to apply again to the Recorder for permission to file his schedule under the former proceedings and to apply for his discharge on the ground that he had been sufficiently punished for non-compliance with the orders of the Recorder's Court.

The second reference was made under the Indian Divorce Act for confirmation of a *decree nisi*; this was pending at the close of the year.

5. There were three miscellaneous applications filed during the year.

The first case arose out of certain amendments in the Indian Divorce Act, 1869, by the Burma Courts Act, 1889. The petitioner, a resident of Bassein, asked to be allowed to file his petition for dissolution of marriage in the Special Court on the ground that the parties in the case resided within the jurisdiction of the Court, and it was held that, although the Special Court had concurrent jurisdiction in the matter with the District Court at Bassein, it was not bound to exercise that jurisdiction, and that, having regard to section 15 of the Civil Procedure Code, the District Court at Bassein was the proper Court to try the case.

The second case was an application for review of judgment of this Court and the third for an order to the Judge of Moulmein to furnish copy of judgment.

6. The revenue of the Court during the year from the court-fee stamps amounted to Rs. 6,301-12-0 and the expenditure to Rs. 1,450. In the previous year the revenue was Rs. 2,752-1-0 and the expenditure Rs. 1,800.

7. The Judges of the Special Court throughout the year were Mr. W. F. Agnew and Mr. W. E. Ward.

RANGOON: }
The 6th March 1891. }

W. F. AGNEW,
W. E. WARD,
Judges of the Special Court of Lower Burma.

Report on the administration of Civil Justice in the Court of the Recorder and in the Court of Small Causes, Rangoon, for the year 1890.

COURT OF THE RECORDER OF RANGOON.

THE following tables show the work of the year and the fees realized in comparison with the previous year :—

Year	Number of suits instituted							Number of suits disposed of							Number of suits pending							Value of suits instituted.	Value of suits disposed of
	Regular.	New trials	Reviews	Vice-admiralty	Insolvency.	Miscellaneous and execution.	Total.	Regular	New trials.	Reviews.	Vice-admiralty	Insolvency.	Miscellaneous and execution.	Total.	Regular.	New trials	Reviews	Vice-admiralty	Insolvency.	Miscellaneous and execution.	Total.		
																						Rs	Rs.
1889 ...	266	4	3	5	46	517	841	236	4	2		27	479	748	97	.	1	5	20	73	202	11,70,594	9,34,584
1890 ...	168		5	4	40	439	656	411	...	5	0	54	479	758	54	...	1	...	12	33	100	7,44,281	21,73,565
Increase ...	.		2		..	...	...	...	...	3	9	27	..	10	..	..	...		.	...	..	..	12,39 031
Decrease ..	98	4		1	6	78	185	25	4	...	...	-	..	..	43	...	...	5	14	40	102	4,26,318	....

Statement of Court-fees realised.

Year.	Process-fees.	Amount realized under Act VIII of 1870, Schedule I, Articles 1—9 inclusive.	Amount realized under the same schedule, Nos. 10—12.	Amount realized under Schedule II.	Total.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs A. P.
1889	3,588 0 0	42,225 12 0	17,843 0 0	1,913 8 0	65,070 4 0
1890	2,768 8 0	27,291 4 0	15,926 0 0	1,895 10 0	47,881 1 0
Increase ..	...	...	...		...
Decrease .	819 13 0	14,934 8 0	1,417 0 0	17 14 0	17,189 3 0

2. The result shows a decrease in the institution of 98 regular suits, four new trials, one vice-admiralty, six insolvency, and 78 miscellaneous and execution cases as compared with the previous year. This decrease is not great as compared with the previous years, inasmuch as cases between Rs. 1,000 and Rs. 2,000, which in previous years were instituted in this Court, are now instituted in the Small Cause Court under the extended jurisdiction provided by the Lower Burma Courts Act of 1889 ; 87 such cases were instituted in the Small Cause Court during the year under review. There is a slight decrease in the number of regular suits disposed of. During the first three months of 1889, however, there were two Recorders, while there has only been one during the year under review, and the total number of suits and applications of all kinds shows an increase of 10 disposed of over the number disposed of in 1889. There is a considerable decrease in the number of cases pending, but this is attributable in a great measure to the fewer institutions.

1885	254
1886	284
1887 ...	244
1888	276
1889	266 + 33 = 299
1890	168 + 87 = 255

There is also a decrease in the value of suits instituted, but this is natural when 87 cases between Rs. 1,000 and Rs. 2,000 were filed in the Small Cause Court. The value of suits disposed of has increased. The court-fee stamps decreased by Rs. 17,189-3-0.

Insolvency Jurisdiction.

3. The following table shows the particulars of the insolvency business during the year :—

Number of persons whose applications were pending at the close of 1889.	Number of petitions filed during 1890.	Number of persons.	Total number of persons.	Personal discharge granted.	Final discharge granted.	Adjudicated insolvents.	Dismissed.	Rejected.	Withdrawn.	Struck off in default.	Pending.
22	40	46	68	23	12	13	3	*Nil*	2	2	13

4. The following table shows the classes to whose estates probates and letters-of-administration were granted during the year and the value of the estates :—

Class.	Number of probates granted.	Number of letters-of-administration granted.	Value of estates.
			Rs.
Europeans and Eurasians	8	10	4,50,914
Buddhists { Burmese	...	7	28,043
Buddhists { Chinese	1	4	41,800
Mahomedans	3	9	3,41,454
Hindus	...	2	11,300
Jew	...	1	10,000
Burmese Christian	...	1	10,000
Total ...	12	34	8,93,511

In the previous year 12 probates and 30 letters-of-administration were granted. The value of the estates amounted to Rs. 6,92,500.

5. There were 52 applications made to this Court for revision of the judgments and orders passed by the Small Cause Court, Rangoon. In eight cases the judgments and orders were set aside, in one case the judgment was modified, three were returned for further evidence to be taken, one case was sent back for re-consideration, and in 31 cases the judgments and orders were not interfered with, and eight remained pending at the close of the year.

6. There were four references made to this Court by the Small Cause Court. All of these were disposed of during the year.

7. The two appeals which were preferred to the High Court, Calcutta, in 1889, and were pending at the end of that year, were pending at the close of the year under report, but both were decided in the early part of this year. In both cases the decrees of this Court were reversed.

8. During the year under report two appeals were preferred to the High Court, Calcutta, one was dismissed, the other remained pending at the close of the year, but was withdrawn in the early part of this year, and there were two appeals preferred to the Privy Council, which are now pending.

9. The appeal to the Privy Council which was pending at the close of 1889 is still pending.

10. The following is a statement of receipts and expenditure for the year 1890:—

Receipts.	Amount.			Expenditure.	Amount.		
	Rs.	A.	P.		Rs.	A.	P.
Amount realized by court-fee stamps.	47,881	1	0	Recorder	34,560	0	0
Fees in Admiralty cases .	475	10	0	Clerks	22,798	0	8
Sale of unserviceable furniture ..	1	8	0	Servants	880	0	0
Copying fees	771	0	0	Contingencies	2,209	7	1
Sale of Admiralty rules ...	10	0	0	*Process-serving Establishment.*			
Commission on sales of mortgaged property.	312	8	0	One-third of Bailiff's pay and two peons, the remainder being charged to the Small Cause Court.	1,889	13	11
Recovered price of clock stolen and paid into treasury.	20	0	0				
Total ...	49,471	6	0	Total	62,337	5	3

THE COURT OF SMALL CAUSES.

11. The number of suits instituted and decided in the Rangoon Court of Small Causes during 1889 and 1890, also the number pending at the close of these years respectively, is shown below.

	Instituted.	Decided.	Pending.
Regular Suits.			
1889	4.839	4,879	310
1890	4,916	4,970	342
Miscellaneous Suits.			
1889	1,334	1,270	64
1890	1,493	1,514	43
Applications for Execution.			
1889	2,333	2,322	100
1890	2,157	2,115	142

12. Details of the values of suits instituted in 1889 and 1890 are given below.

Rs.	1889.	1890.
Up to 10	549	443
Up to 50	2.178	2,088
Up to 100	868	935
Up to 500	1,077	1,200
Up to 1,000	184	168
Up to 2,000	88	87

13. The total amount in litigation was Rs. 6,32,194-2-0 as compared with Rs. 5,10,707-2-3 in the previous year.

Compounded ...	804
Decreed on confession ...	570
Decreed *ex-parte* ...	1,969
Dismissed *ex-parte* ...	85
Total ...	2,878

14. Of the suits disposed of in 1890, 802 were dismissed for default or for want of prosecution, or were withdrawn with leave, 2,878 were decided without contest in the manner shown in the margin, and 1,290 were decided after contest.

15. Out of 2,257 applications for execution of decrees 2,115 were determined and 142 remained pending at the close of the year. The number of such applications filed in 1889 was 2,422 and the number determined was 2,322. Of the applications disposed of in 1890 1,106 resulted in whole or partial satisfaction of the decrees.

Pending from 1889 ...	100
Filed in 1890 ...	2,157
Total ...	2,257

16. The Judge disposed of 1,950 regular and 1,128 miscellaneous suits, and 1,015 applications for execution, making a total of 4,093. Of the regular cases 461 were contested suits with an average duration of 29·63 days and 1,489 were uncontested, the average duration being 34·75.

17. The Additional Judge disposed of 3,020 regular cases and 386 miscellaneous applications, and 1,100 applications for execution, making a total of 4,506. Of the regular cases 829 were contested and 2,191 were uncontested, the average duration being 19·28 and 14·96 respectively.

18. The value of court-fee stamps used was Rs. 63,202-12-0. The value in 1889 was Rs. 53,608-2-0, showing an increase on the previous year of Rs. 9,594-10-0.

19. The following is a statement of receipts and expenditure for the year 1890:—

Receipts.	Amount.			Expenditure.	Amount.		
	Rs.	A.	P.		Rs.	A.	P.
Amount realized by stamps on institution.	51,884	2	0	First Judge's pay	11,980	15	10
				Additional Judge's pay ...	5,848	4	0
Tallubana fund collected in stamps	11,868	10	0	Establishment	18,901	8	5
Fines	15	0	0	Contingencies	656	10	0
Stamp penalty levied on insufficiently stamped documents.	505	4	0	Two-thirds share of Bailiff's pay, two-thirds share of Head Peon's pay, and pay of eight peons of the Bailiff's establishment debited to this Court by direction of the Recorder.	2,912	0	0
Sale of unserviceable furniture ...	0	12	0				
Sale of empty stationery cases ...	1	8	0				
				Total ...	35,249	6	8
				Balance of receipts over expenditure.	28,475	13	9
Total ...	63,725	4	0	Total ..	63,725	4	0

RANGOON: *The 31st March 1891.*

W. F. AGNEW, *Recorder.*

PART II.

Courts under the Supervision of the Judicial Commissioner.

From W. E WARD, Esq., C.S.I., Judicial Commissioner, Lower Burma, to the Secretary to the Chief Commissioner, Burma,—No. 529 86, dated the 14th May 1891.

I BEG to submit the Civil Justice statements for 1890 for Lower Burma, including those for the Special Court and the Town of Rangoon. The report, as in previous years, deals only with the figures of the Judicial Commissioner's Court and of the Courts subordinate thereto, including the Court of the Hill Tracts of Arakan.

I.—ORIGINAL JURISDICTION.

2. There were no original suits instituted or disposed of during the yaer in the Court of the Judicial Commissioner.

3. The total number of suits instituted since 1881 in all Courts subordinate to the Judicial Commissioner is given below:—

Year.	Number of suits instituted
1881	27,675
1882	28,215
1883	28,906
1884	30,148
1885	27,961
1886	27,286
1887	27,456
1888	30,123
1889	32,794
1890	30,642

There has been a decrease in institutions of 2,153 cases as compared with the previous year. In every division there was a decrease as the following statement shows:—

Division.	Institutions.		Increase or decrease.
	1889.	1890.	
Arakan	3,604	3,080	— 524
Pegu	8,932	8,249	— 683
Irrawaddy	12,312	11,507	— 805
Tenasserim	7,946	7,805	— 141

The Tenasserim division also showed a small decrease in institutions in 1889, but all other divisions showed an increase in that year.

4. The following table shows the number of cases instituted in the different Courts of original jurisdiction, the number disposed of, and the state of the files at the close of the year as compared with similar results for the preceding year :—

Division.	Name of district.	Instituted *		Disposed of.		Pending at close of year			
						Above four months.		Total pending	
		1889.	1890	1889	1890.	1889.	1890	1889.	1890.
Arakan.	Akyab	1,500	1,305	1,491	1,334	9	6	45	34
	Akyab Small Cause Court	686	697	692	591	...	...	9	20
	Kyaukpyu	925	785	924	768	...	...	14	31
	Sandoway	322	290	327	291	...	...	6	2
	Northern Arakan	171	93	170	88	..	...	1	6
	Total ...	3,604	3,080	3,004	3,072	9	6	75	93
Pegu	Hanthawaddy	1,365	1,438	1,376	1,435	1	...	19	26
	Pegu	1,947	1,896	1,951	1,851	...	...	39	76
	Pegu Small Cause Court	300	320	292	328	...	...	10	2
	Tharrawaddy	2,180	1,888	2,148	1,911	...	1	73	59
	Tharrawaddy Small Cause Court	205	200	204	209	...	...	9	2
	Prome	2,545	2,060	2,491	2,118	...	...	81	54
	Prome Small Cause Court	500	430	501	435	...	...	14	1
	Judicial Commissioner, Lower Burma ...	...	...	...		...	...		.
	Total ...	8,033	8,249	8,868	8,283	1	1	238	220
Irrawaddy.	Henzada	2,436	2,098	2,438	2,071	...	8	80	107
	Henzada Small Cause Court	269	215	247	211	...	...	3	7
	Bassein	3,420	3,307	3,438	3,289	...	3	93	111
	Bassein Small Cause Court	427	323	427	326	.	...	3	..
	Thôngwa	3,697	3,775	3,605	3,484	90	8	210	178
	Thôngwa Small Cause Court	601	395	591	390	8	...	10	5
	Thayetmyo	1,356	1,347	1,383	1,355	7	4	67	59
	Thayetmyo Small Cause Court	93	46	93	45	...	...	...	.
	Irrawaddy Commissioner's Court	...	1	...	1	..	...	.	.
	Total ...	12,312	11,508	12,172	11,521	105	18	475	462
Tenasserim	Amherst	1,854	1,748	1,860	1,760	9	8	52	41
	Amherst Small Cause Court	130	135	130	133	...	...	2	4
	Shwegyin	1,309	1,147	1,306	1,102	...	...	59	59
	Shwegyin Small Cause Court	192	350	188	345	...	...	7	1
	Toungoo	805	662	807	657	...	...	10	14
	Toungoo Small Cause Court	242	270	240	262	...	...	...	8
	Tavoy	580	572	579	578	...	...	15	14
	Mergui	540	511	537	483	1	8	6	34
	Salween	64	58	67	57	...	..	..	1
	Moulmein Judge's Court	161	201	160	199	5	12	15	18
	Moulmein Judge's Court, Small Cause Side ...	2,053	2,151	2,097	2,120	8	20	62	99
	Total ..	7,946	7,605	8,030	7,751	16	38	228	293
	Grand Total ...	32,794	30,642	32,674	30,626	131	63	1,016	1,068
	Increase ...	...	...	...	...	...	...	...	52
	Decrease ...	...	2,153	...	2,049	.	68	..	...

* Excluding cases received by transfer and cases pending from previous year

It will be observed that every district shows a decrease in institutions except Hanthawaddy and Pegu. In the Moulmein Judge's Court there has been an increase of 98 cases on the Small Cause Court side and of 40 cases on the regular or superior side of the Court.

In the Akyab and Sandoway districts of the Arakan division the decrease in the number of cases instituted is attributed to the disturbed state of some of the subdivisions, and especially in the latter district to the rebellion in the Sandoway valley. This, says the Deputy Commissioner, " began in the middle " of February and was not finally suppressed till the beginning of June, during " which time the number of civil suits filed in the Court of the Sandoway " Myoôk was practically *nil.* " In Kyaukpyu the number of institutions in 1889 was abnormal as explained in last year's report. The Deputy Commissioner of the Arakan Hill Tracts ascribes the large decrease in his district to his refusal to allow claims for money lent in many cases where he discovered upon investigation that the debts were gambling debts.

In Prome district the Deputy Commissioner attributes the decrease to a depression in trade and the opening of the railway to Mandalay. A good crop is held responsible for a decrease of 12 per cent. in Tharrawaddy, but exactly the opposite reason is assigned for the slighter decrease in Amherst district.

5. The following table shows the character of the original litigation in the different districts and classes of Courts:—

Division.	Name of district	Number of suits: On written obligation.	On unwritten obligation.	On account stated.	For money had and received.	For goods sold.	For breach of contract not mentioned above	For rent.	For moveable property or value thereof.	For damages.	For immoveable property or interest therein.	For specific performance of contract.	For dissolution of marriage or for enforcement of matrimonial rights.	Other suits.	Total.
Arakan.	Akyab ...	404	216	1	15	112	111	130	157	77	37	1	15	29	1,305
	Akyab Small Cause Court	373	38	..	28	87	68	3	9	1	.	...	...	...	607
	Kyaukpyu	106	177	8	12	120	43	43	82	46	99	2	15	32	785
	Sandoway	35	48	3	16	63	8	5	40	27	27	1	9	8	290
	Northern Arakan ...	..	...	...	24	26	4	...	...	19	3	...	16	1	93
	Total ...	918	479	12	95	408	234	181	288	170	166	4	55	70	3,080
Pegu.	Hanthawaddy ...	312	184	7	62	252	140	30	268	51	82	1	18	30	1,438
	Pegu ...	632	515	13	7	281	82	14	147	51	65	1	40	48	1,886
	Pegu Small Cause Court	36	57	6	4	185	45	8	15	12	..	...	...	2	320
	Tharrawaddy	340	419	...	62	173	102	4	264	347	76	9	48	44	1,888
	Tharrawaddy Small Cause Court.	24	32		1	73	14	9	19	37	..	.	...	...	209
	Prome	311	344	18	25	415	72	14	92	473	185	2	87	30	2,069
	Prome Small Cause Court	76	69	1	23	86	12	30	116	25	...	...	...	1	439
	Judicial Commissioner, Lower Burma	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ...	1,721	1,620	40	184	1,415	467	109	921	997	408	13	193	161	8,249
Irrawaddy.	Henzada	230	253	6	450	230	64	16	140	460	150		67	20	2,098
	Henzada Small Cause Court.	1	8	2	101	59	17	7	9	16	...	...	...	.	215
	Bassein	410	737	11	129	430	146	120	398	581	180	...	117	48	3,307
	Bassein Small Cause Court	111	61	2	11	88	13	20	11	6	...	...	...	...	323
	Thôngwa	712	1,031	2	2	826	237	84	240	371	165	1	78	18	3,776
	Thôngwa Small Cause Court.	51	105	...	...	176	62	...	1	...	...	...	...		395
	Thayetmyo	943	312	1	14	179	40	31	178	170	46	2	22	9	1,347
	Thayetmyo Small Cause Court.	29	1	...	2	7	3	1	2	1	...	...	...	...	46
	Total ...	1,887	2,503	24	709	1,995	582	279	988	1,605	547	3	284	101	11,607
Tenasserim.	Amherst ..	600	380	10	61	120	181	53	234	66	71	...	16	16	1,748
	Amherst Small Cause Court	52	51	..	...	1	12	3	13	3	..	...	...	...	135
	Shwegyin ...	150	372	14	37	204	39	26	145	67	38	...	48	8	1,147
	Shwegyin Small Cause Court.	19	105	1	1	131	31	15	19	26	1	...	..	1	350
	Toungoo	141	68	9	58	75	18	37	101	49	55	...	15	36	662
	Toungoo Small Cause Court.	102	28	6	26	56	7	14	30	1	...	...	...	...	270
	Tavoy	125	70	2	30	135	28	63	40	39	27	...	5	8	572
	Mergui	221	56	12	34	59	28	14	33	21	5	...	10	18	511
	Salween	18	6	...	3	14	3	3	4	2	2	...	1	2	58
	Moulmein Judge's Court	73		1	2	...	...	...	6	10	8	...	1	100	201
	Moulmein Judge's Court, Small Cause Side.	1,004	187	80	95	372	238	78	62	35	...	...	...	...	2,151
	Total ...	2,505	1,323	135	347	1,167	534	306	677	319	207	...	96	189	7,805
	Grand Total 1890 ...	7,031	5,925	211	1,335	4,985	1,817	875	2,874	3,091	1,328	20	628	521	30,641
	In 1889 ..	6,918	6,173	245	1,544	5,756	2,118	796	3,482	3,074	1,443	35	647	503	32,794
	Increase ...	113	...	...	...	...	...	79	...	17	...	...	...	...	.
	Decrease ...	...	248	34	209	771	301	...	608	...	115	15	19	42	2,153

There has been an increase in suits on written obligation and a decrease in suits on unwritten obligation. This is a satisfactory feature of the above table. Comparing the figures with those given in the corresponding table of last year's report it appears that this improvement is attributable to the Pegu and Irrawaddy divisions alone. In Shwegyin district, in fact, there has been a marked change for the worse in this respect. These two last-mentioned divisions are also conspicuous for the large proportion of matrimonial suits instituted. Tenasserim division shows a marked decrease in these suits, amounting to 21 per cent. Suits for immoveable property show a decrease in every division except Irrawaddy, where the increase is only nominal. The following statement is

interesting as showing the character of the litigation which chiefly occupies the Courts :—

Class of suits	Percentages of institutions to total institutions. 1889.	1890.
On written obligation	21	23
On unwritten obligation	19	19
For goods sold	18	16
For damages, &c.	9	10
For breach of contract not mentioned above	6	6
For moveable property	11	9
For money had and received	5	4
For rent	2	3
Matrimonial suits	2	2

Too much reliance, however, must not be placed on these figures as it is extremely difficult to get the inferior Courts to classify their cases properly. The figures, however, may be accepted as sufficiently correct for the purpose of ascertaining the general character of the litigation in our Courts.

6. The table below shows the value of original suits :—

Division	Name of district.	Number of suits instituted valued at not exceeding Rs. 10.	Rs 50.	Rs. 100	Rs. 500.	Rs. 1,000.	Rs. 5,000.	Rs 10,000.	Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.	Total value of suits. Rs.	A.	P.
Arakan.	Akyab	178	609	224	211	50	16	4	..	18	1,60,184	15	4
	Akyab Small Cause Court..	66	217	121	203	..	..	..	..	..	65,591	9	9
	Kyaukpyu	243	382	86	54	2	1	..	..	17	33,568	7	8
	Sandoway	113	120	32	13	1	..	..	..	11	8,872	1	5
	Northern Arakan ..	14	41	18	16	..	..	..	..	4	6,142	12	9
	Total ..	614	1,369	481	497	53	17	4	..	45	2,74,359	14	11
Pegu.	Hanthawaddy.. ..	212	546	311	287	33	16	..	1	32	1,75,874	10	10
	Pegu	77	559	560	551	40	32	..	..	67	2,64,451	12	2
	Pegu Small Cause Court ..	73	240	7	..	..	..	..	..	..	6,525	13	3
	Tharrawaddy	227	937	377	258	15	1	..	..	73	1,16,860	12	0
	Tharrawaddy Small Cause Court.	45	164	..	..	..	..	..	..	..	5,103	1	7
	Prome	376	966	380	224	14	6	..	..	103	1,26,678	7	4
	Prome Small Cause Court..	124	223	68	24	..	..	..	..	..	12,989	9	11
	Judicial Commissioner, Lower Burma	..	..	..	..	..	..	..	..	..	..		
	Total ..	1,134	3,635	1,703	1,344	102	55	..	1	275	7,08,479	8	1
Irrawaddy.	Henzada	388	903	486	257	18	9	1	..	86	1,42,876	0	2
	Henzada Small Cause Court	91	124	..	..	..	..	..	..	..	3,681	2	4
	Bassein	501	1,488	623	518	41	12	..	..	124	2,40,554	13	0
	Bassein Small Cause Court	81	200	42	..	..	..	..	..	..	9,056	0	10
	Thôngwa	545	1,402	873	807	40	10	..	..	81	3,14,703	11	5
	Thôngwa Small Cause Court	110	285	..	..	..	..	..	..	..	8,336	12	11
	Thayetmyo	276	601	284	148	6	5	..	..	27	79,925	5	2
	Thayetmyo Small Cause Court.	10	27	7	2	..	..	..	..	..	1,479	14	6
	Total ..	1,952	5,030	2,815	1,732	114	45	1	..	319	8,00,613	12	4
Tenasserim.	Amherst . ..	193	778	393	335	23	7	..	1	18	1,90,601	7	9
	Amherst Small Cause Court	19	116	..	..	..	..	..	..	..	3,395	11	0
	Shwegyin	118	423	306	237	11	2	..	..	50	94,343	7	2
	Shwegyin Small Cause Court.	93	257	..	..	..	..	..	..	..	7,789	12	3
	Toungoo	92	242	97	172	17	12	2	..	28	1,01,328	2	9
	Toungoo Small Cause Court	54	163	53	..	..	..	..	..	..	9,082	4	7
	Tavoy	104	302	96	61	1	6	..	..	2	40,503	5	3
	Mergui	63	246	121	72	2	..	..	..	7	32,233	12	0
	Salween	6	19	12	16	..	2	1	..	2	15,398	11	3
	Moulmein Judge's Court ..	..	5	6	54	27	91	6	11	1	6,51,432	10	0
	Moulmein Judge's Court, Small Cause side	382	963	375	420	61	..	..	..	..	1,88,363	11	0
	Total ..	1,074	3,514	1,459	1,367	142	120	9	12	108	13,34,422	15	0
	Grand Total 1890 ..	4,774	13,548	5 958	4 940	411	237	14	13	747	31,17,875	13	4
	In 1889 ..	5,234	14,690	6,537	5,027	323	222	13	6	742	27,65,433	12	1
	Increase ..	..	..	..	..	88	15	1	7	5	3,52,442	1	3
	Decrease ..	460	1,142	579	87	..	..	..	..	..	..		

Notwithstanding the decrease in institutions the value of suits instituted last year shows an increase of 3½ lakhs, which is almost entirely due to the Court of the Judge of Moulmein, where the increase on both sides of the Court taken together shows an increase of Rs. 3,56,000. Concerning this increase the Judge of Moulmein says:

"The value of the new litigation rose from Rs. 4,83,700-6-0 in the previous year to Rs. 8,39,796-5-0. One suit for the recovery of Rs. 1,40,735 chiefly contributed towards this large total, which is the highest value that the litigation has reached since the establishment of this Court; and the increase was also partly due to the larger number of cases instituted."

In the Arakan division there has been an increase of nearly Rs. 14,000 in the value of suits following on a decrease of Rs. 26,000 shown in the previous year. In the Pegu division there has been a decrease of Rs. 31,000 following on an increase of 1½ lakhs in the previous year. In the Irrawaddy division the value of suits was much the same as in the previous year, which showed an increase of 1¼ lakhs over the year 1888; and in the Tenasserim division, excluding the Judge's Court at Moulmein, there has been an increase in values amounting to about Rs. 12,000.

Out of a total number of 30,642 suits instituted 60 per cent. did not exceed Rs. 50 in value. In 1887, 1888, and 1889 the percentages were respectively 60, 62, and 61 per cent.

7. The manner in which the litigation was disposed of in the several Courts is shown below:

Division	Name of district	Number of cases brought on the file including pending from last year	Transferred.	Plaint rejected or returned	Dismissed for default.	Withdrawn with leave.	Compromised	Decreed on confession.	Decreed ex-parte	Dismissed ex parte.	Contested cases. Judgment for plaintiff in whole or in part.	Contested cases. Judgment for defendant.	Total disposed of.	Pending.	Referred to arbitration.
Arakan	Akyab ...	1,366	6	8	302	26	128	229	253	18	262	105	1,334	34	3
	Akyab Small Cause Court	611	7	5	68	10	36	79	263	6	102	22	591	20	
	Kyaukpyu ...	799	1	...	170	15	86	120	64	8	199	100	768	31	2
	Saudoway ...	293	...	..	63	.	34	71	22	...	68	33	291	2	
	Northern Arakan	94	..	1	1	1	11	...	.	.	24	10	88	6	40
	Total ..	3,165	14	14	604	52	295	499	602	27	655	270	3,072	93	45
Pegu	Hanthawaddy ...	1,461	...	3	441	86	55	219	293	...	221	114	1,435	26	3
	Pegu ..	1,927	7	7	577	32	79	304	283	8	408	107	1,851	76	0
	Pegu Small Cause Court	390	6	1	100	9	8	32	74	1	73	21	328	2	..
	Tharrawaddy	1,970	4	.	573	15	184	208	167	17	478	262	1,911	59	7
	Tharrawaddy Small Cause Court	211	..	...	42	1	12	21	26	17	54	38	209	2	...
	Prome	2,167	.	13	487	10	57	204	162	89	839	301	2,113	54	1
	Prome Small Cause Court	486	17	..	126	5	6	77	68	..	129	24	435	1	.
	Judicial Commissioner, Lower Burma	...	..	..	.	..	...	...	.	.	.	..			..
	Total	8,502	34	24	2,305	158	401	1,065	1,053	132	2,200	927	8,282	220	17
Irrawaddy	Henzada	2,178	9	1	603	37	103	263	161	7	580	300	2,071	107	7
	Henzada Small Cause Court	218	...	..	126	2	8	14	19	1	31	15	211	7	
	Bassein	3,400	5	..	773	62	144	286	521	108	868	492	3,289	111	35
	Bassein Small Cause Court ..	326	...	.	96	2	8	57	58	...	78	27	326		
	Thongwa	3,997	.	136	1,513	6	94	514	446	6	737	274	3,824	173	100
	Thongwa Small Cause Court	404	10	..	205	9	4	28	80	11	31	22	390	5	9
	Thayetmyo	1,414	..	...	289	33	107	252	171	34	293	171	1,355	50	5
	Thayetmyo Small Cause Court	45	1	.	2	.	1	34	1	..	5	2	45		.
	Commissioner of Irrawaddy	1	.	..	..	..				...	...	1	.		...
	Total ...	11,983	25	137	3,607	151	464	1,448	1,457	167	2,623	1,311	11,521	462	156
Tenasserim	Amherst	1,601	5	13	90	35	113	301	350	186	443	222	1,760	41	5
	Amherst Small Cause Court	137	.		1	1	29	27	22	1	42	10	133	4	.
	Shwegyin . ..	1,221	10	6	242	7	69	223	96	1	376	188	1,162	59	4
	Shwegyin Small Cause Court	546	10	...	74	15	29	57	45	3	95	23	315	1	4
	Toungoo	671	1	1	56	14	53	155	54	15	218	91	657	14	...
	Toungoo Small Cause Court...	270	...	.	36	3	6	63	38	...	72	24	262	8	..
	Tavoy	587	..	14	65	8	9	125	42	5	214	91	573	14	...
	Mergui	517	..	3	19	3	20	124	97	37	114	60	483	34	..
	Salween	58	...	..	10	4	10	4	1	...	15	4	57	1	.
	Moulmein Judge's Court .	217	...	.	1	5	10	39	44	..	60	25	199	18	6
	Moulmein Judge's Court, Small Cause Side	2,219	...	2	257	19	128	253	694	3	535	228	2,120	90	1
	Total ..	8,044	35	30	851	114	485	1,391	1,483	253	2,199	922	7,751	293	20
	Grand Total 1890 .	31,694	108	214	7,367	475	1,645	4,403	4,595	579	7,671	3,438	30,626	1,068	23
	In 1889 .	33,690	30	255	7,745	411	1,774	4,963	4,703	622	8,374	3,566	32,674	1,016	26

The percentage of contested cases to total cases disposed of was 36·3 as compared with 36·5 in 1889 and 37 in 1888. It has been pointed out in previous reports how much higher this percentage is than in the regulation provinces of India.

The percentage of cases decided in favour of and against the plaintiff in each of the past three years is given below:

	1888.	1889.	1890.
Decided against plaintiff	39	39	40
Compromised	6	5	6
Decided in favour of plaintiff	55	56	54

As pointed out in previous reports the percentage of cases in Lower Burma in which the plaintiff succeeds is far below that of Lower Bengal.

8. The average duration of suits in Courts of original jurisdiction was as follows:

Division.	Name of district.	Average duration of suits: For previous year. Contested.	For previous year. Uncontested.	For year of report. Contested.	For year of report. Uncontested.
		Days.	Days.	Days.	Days.
Arakan.	Akyab	28	15	30	20
	Akyab Small Cause Court	10	16	11	15
	Kyaukpyu	10	4	11	6
	Sandoway	14	9	15	11
	Northern Arakan	5	10	15	12
	Total ...	15	13	19	15
Pegu.	Hanthawaddy	19	9	35	18
	Pegu	27	14	27	14
	Pegu Small Cause Court	19	13	23	17
	Tharrawaddy	13	13	19	16
	Tharrawaddy Small Cause Court	7	7	8	10
	Prome	17	12	16	12
	Prome Small Cause Court	12	12	10	8
	Judicial Commissioner, Lower Burma	...	...	...	...
	Total ...	18	12	21	15
Irrawaddy.	Henzada	21	10	33	15
	Henzada Small Cause Court	13	8	9	7
	Bassein	25	14	25	15
	Bassein Small Cause Court	13	12	10	11
	Thôngwa	35	21	39	28
	Thôngwa Small Cause Court	21	17	19	16
	Thayetmyo	21	14	22	14
	Thayetmyo Small Cause Court	2	3	5	5
	Total ...	26	15	30	20
Tenasserim.	Amherst	14	9	16	8
	Amherst Small Cause Court	9	8	13	9
	Shwegyin	14	8	16	14
	Shwegyin Small Cause Court	8	7	12	7
	Toungoo	14	10	13	8
	Toungoo Small Cause Court	8	7	8	8
	Tavoy	19	10	16	10
	Mergui	22	11	24	18
	Salween	22	11	10	7
	Moulmein Judge's Court	103	52	40	31
	Moulmein Judge's Court, Small Cause side ...	22	15	16	12
	Total ...	20	11	16	12
	Grand Total ...	21	13	23	16

For reasons explained in last year's report no great value can be attached to the figures of this table. I promised last year to ascertain how average

durations in civil cases were arrived at for each district, but the matter has been overlooked. Judged by the standards of other provinces, the rapidity with which cases are disposed of in Lower Burma, if the above figures are even approximately correct, is certainly very remarkable (see paragraph 8 of my report for the year 1889).

The figures relating to the Moulmein Judge's Court are more reliable. Some of the contested civil cases of this Court tried on the superior side are exceedingly complicated, and it is creditable to the Judge that he was able to dispose of contested cases on that side of his Court in 40 days on the average and uncontested cases in 31 days.

The Thôngwa district continues to show the worst results in the matter of durations. No action was taken on the proposals referred to in last year's report till November last, when an officer with Small Cause Court powers was sent to preside over the Pyapôn Myoôk's Court, which has been chiefly responsible for the high average duration of the district. The Deputy Commissioner finds a further cause in the time spent by Judicial Officers in census preparations.

Again the Akyab Small Cause Court shows a higher average duration in uncontested than in contested cases. The Tharrawaddy and Bassein Small Cause Courts do the same. The Deputy Commissioner, Akyab, explains the long duration of uncontested cases by saying that in a large number of cases the defendants are Chittagonians residing in Chittagong. The Deputy Commissioner, Tharrawaddy, protests against the prominence given to the question of duration of cases and says he is satisfied that judicial business in his district is disposed of quickly and well.

9. The following table shows the number of applications for execution and the degree in which the applications were satisfied :—

Division	Name of district.	Number of applications for execution, including those pending from last year.	Decrees completely executed.	Decrees partially executed.	Pending at close of year
Arakan.	Akyab	450	151	87	33
	Akyab Small Cause Court	204	40	36	5
	Kyaukpyu	192	95	42	19
	Sandoway	51	22	10	.
	Northern Arakan	6	2	2	1
	Total .	903	310	177	58
Pegu.	Hanthawaddy	385	160	89	30
	Pegu	520	157	103	57
	Pegu Small Cause Court	61	32	10	..
	Tharrawaddy	382	180	72	27
	Tharrawaddy Small Cause Court	36	19	4	1
	Prome	461	218	99	45
	Prome Small Cause Court	66	36	14	...
	Judicial Commissioner, Lower Burma ...	.	...	..	.
	Total ...	1,920	797	391	160
Irrawaddy	Henzada	344	120	57	32
	Henzada Small Cause Court	3	2	...	..
	Bassein	366	232	159	57
	Bassein Small Cause Court	92	28	12	7
	Thôngwa	397	315	65	130
	Thôngwa Small Cause Court	47	..	1	5
	Thayetmyo	270	106	57	22
	Thayetmyo Small Cause Court	27	9	12	
	Total ...	2,546	812	363	258
Tenasserim.	Amherst	768	285	149	69
	Amherst Small Cause Court .	42	14	7	1
	Shwegyin	446	179	89	29
	Shwegyin Small Cause Court	61	20	13	1
	Toungoo	215	72	49	10
	Toungoo Small Cause Court	66	11	4	1
	Tavoy	146	76	29	9
	Mergui	223	101	51	22
	Salween	16	5	2	3
	Moulmein Judge's Court ...	175	32	27	11
	Moulmein Judge's Court, Small Cause side ...	1,018	144	65	19
	Total ...	3,171	930	485	175
	Grand Total 1890 ...	8,540	2,858	1,416	646
	In 1889 ..	8,727	2,731	1,692	511

There has been a slight decrease in the number of applications for execution during the past year corresponding to the decrease in suits instituted.

The proportion of wholly successful and wholly infructuous applications to total applications is shown below :

	1886	1887	1888.	1889	1890
Wholly successful	34	38	33	33	36
Partially successful	23	21	20	21	18
Wholly infructuous ...	43	40	47	46	46

Many cases are settled out of Court. It is doubtful also whether the inferior Courts write up their execution registers properly, showing in all cases when execution proceedings have been successful. Myoôks' Courts not un-

commonly issue processes attaching moveable property in execution and omit to write up in their books the result of the sale, although sale-proceeds have been realized.

10. Processes of execution were issued as follows:

Division.	Name of district.	Mode of execution.						Orders under section 243, Civil Procedure Code.
		Delivery of possession.	Imprisonment of person.	Moveable property.		Immoveable property.		
				Attached.	Sold.	Attached.	Sold.	
Arakan.	Akyab	11	1	100	54	60	38	..
	Akyab Small Cause Court	...	1	31	26	...	..	...
	Kyaukpyu	2	.	58	21	60	20	
	Sandoway	3	2	7	4	11	5	
	Northern Arakan	...	...	3	3	...	...	...
	Total ...	16	4	199	108	131	58	
Pegu.	Hanthawaddy	5	2	111	37	110	39	
	Pegu	7	...	129	38	101	47	..
	Pegu Small Cause Court		...	25	5	18	...	
	Tharrawaddy	3	2	144	37	97	40	
	Tharrawaddy Small Cause Court ..	...	...	21	6	1	1	
	Prome	4	...	126	42	154	78	
	Prome Small Cause Court	...	3	38	22	4	1	
	Judicial Commissioner, Lower Burma ...	...	..	.	...	...	...	..
	Total ...	19	7	594	187	480	206	...
Irrawaddy.	Henzada	3	...	113	42	58	12	
	Henzada Small Cause Court	...	..	1	.	1	..	
	Bassein	4	11	197	86	68	35	...
	Bassein Small Cause Court	...	2	15	6	...	..	
	Thôngwa	2	3	225	50	81	50	...
	Thôngwa Small Cause Court . .	...		1	...	...	...	
	Thayetmyo	7	11	80	23	37	21	
	Thayetmyo Small Cause Court ..	...	1	1	1	...	...	
	Total ...	16	28	638	208	240	118	
Tenasserim.	Amherst	8	10	203	98	121	66	..
	Amherst Small Cause Court	...		18	9	2	2	
	Shwegyin	7	6	125	55	69	29	.
	Shwegyin Small Cause Court ...	1	2	11	6	10	7	...
	Toungoo	...	2	41	14	36	25	
	Toungoo Small Cause Court	.	1	9	2	...	...	.
	Tavoy	10	5	32	8	38	14	
	Mergui	2	13	34	14	16	16	
	Salween			5	4	2	1	
	Moulmein Judge's Court	..	1	10	4	14	7	..
	Moulmein Judge's Court, Small Cause side.	...	38	46	24	..	...	...
	Total ...	28	78	534	238	303	167	.
	Grand Total 1890 ..	74	117	1,960	741	1,154	549	
	In 1889 ..	97	101	2,044	739	1,085	581	...

The number of imprisonments during the past seven years is shown below

Year.	Number of imprisonments.
1884	487
1885	377
1886	282
1887	224
1888	156
1889	101
1890	117

The increase in imprisonments for 1890 is almost entirely due to the Tenasserim division, which shows an increase of 25 cases. As explained last year the Debtor's Act, combined with other causes, accounts for the steady decrease in imprisonments in late years.

11. The following table shows the number of persons who applied to be declared insolvent :—

Division.	Name of district.	Number of persons who applied to be declared insolvent.	Number of applications granted.	Number dismissed or rejected.	Total disposed of.	Pending.	Remarks.
Arakan.	Akyab	...	...	...	...	...	
	Kyaukpyu	...	...	...	...	...	
	Sandoway	1	...	1	1	...	
	Northern Arakan	...	...	...	...	...	
	Total ...	1	...	1	1	...	
Pegu.	Hanthawaddy	...	...	...	...	...	
	Pegu	...	...	...	...	...	
	Tharrawaddy	...	...	...	...	...	
	Prome	2	1	1	2	...	
	Total ...	2	1	1	2	...	
Irrawaddy.	Henzada	2	...	...	2	...	2 withdrawn.
	Bassein	13	9	...	10	3	1 withdrawn.
	Thôngwa	...	...	...	...	...	
	Thayetmyo	...	...	...	...	...	
	Total ...	15	9	...	12	3	3 withdrawn.
Tenasserim.	Amherst	4	...	1	4	...	3 withdrawn.
	Shwegyin	...	...	...	...	...	
	Toungoo	1	1	...	1	...	
	Tavoy	4	1	3	4	...	
	Mergui	1	...	1	1	...	
	Salween	...	...	...	...	...	
	Total ...	10	2	5	10	...	3 withdrawn.
	Grand Total 1890 ...	28	12	7	25	3	6 withdrawn.
	In 1889 ...	55	28	9	54	1	17 withdrawn.

Insolvency applications have been decreasing steadily of late years as shown below.

Year.	Number of applications.
1887	223
1888	118
1889	55
1890	28

II.—APPELLATE JURISDICTION.

12. The following table shows the number and result of appeals preferred to the District or Deputy Commissioner's Court from the decrees of the subordinate Courts, the number pending at the close of the year, and the average duration of appeals:—

Division.	Appellate Court.	Number of appeals preferred.*	Number of appeals disposed of.						Pending.		Average duration of appeals.
			Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of, including transfers.	Total.	Over three months.	Total.	
ARAKAN.	Akyab	89	26	2	1	7	...	36	...	6	37
	Kyaukpyu ...	84	60	10	2	18	...	90	...	2	25
	Sandoway ...	11	7	1	...	4	...	12	...	...	17
	Northern Arakan ...	...	...	...	...	...	...	...	...	...	...
	Total ...	184	93	13	3	29	...	138	...	8	27
PEGU.	Hanthawaddy ...	49	31	2	1	5	5	44	1	5	20
	Pegu	85	50	1	8	25	1	85	...	9	18
	Tharrawaddy ...	75	49	2	2	14	7	74	1	4	24
	Prome	138	78	7	11	39	1	136	...	9	20
	Total ...	347	208	12	22	83	14	339	2	27	20
IRRAWADDY.	Henzada	152	96	9	...	35	1	141	...	13	33
	Bassein	198	124	9	1	45	4	183	...	24	35
	Thôngwa	94	67	8	2	15	...	92	1	9	24
	Thayetmyo ...	86	55	2	1	26	1	85	...	8	18
	Total ...	530	342	28	4	121	6	501	1	49	29
TENASSERIM.	Amherst	89	60	3	5	20	2	90	...	10	20
	Shwegyin... ...	41	31	1	1	11	...	44	1	3	52
	Toungoo	49	22	4	...	20	...	46	...	4	14
	Tavoy	58	39	5	...	15	...	59	...	7	27
	Mergui... ...	44	32	...	1	12	...	45	...	...	31
	Salween	2	1	...	...	...	...	1	...	1	7
	Total ...	283	185	13	7	78	2	285	1	25	27
	GRAND TOTAL 1890 ...	1,294	828	66	36	311	22	1,263	4	109	26
	In 1889 ...	1,399	930	69	31	353	35	1,427	4	77	26

* Excluding cases pending from previous year and cases received by transfer.

There has been a decrease in the number of appeals to the District Courts as compared with previous years, as might be expected from the decrease in the number of original suits instituted. I give below for comparison the figures of the past seven years.

Year.	Number of appeals preferred.
1884	1,391
1885	1,382
1886	1,102
1887	1,127
1888	1,224
1889	1,399
1890	1,294

These figures show that the civil appellate work of Deputy Commissioners is somewhat less than it was in 1884, before the country became disturbed. The Deputy Commissioners of Bassein and Henzada have the heaviest appellate work.

Out of the total number of appeals disposed of over 65 per cent. of the decrees of the original Court were confirmed as compared with 66 per cent. in the previous year and 68 per cent. in the year 1888. As has been noticed in my reports for 1888 and 1889 this is a higher percentage than obtains in Bengal and Upper India, but the suits in Burma are for the most part of the simplest possible character and call only for a proper determination of very simple questions of fact. Shwegyin shows the worst results in average durations of appeals. The increase in the number of days from 6 to 52 is probably due to the fact that the average for 1889 was wrongly calculated as mentioned in my report for that year. The Deputy Commissioner attributes this increase chiefly to the decrease of appeals decided *ex parte* and the increase of contested appeals, the former falling from 60 to 9 and the latter rising from 25 to 35, and also to the fact that there were three changes of District Officers during the year.

13. The following table shows the number and results of appeals to Commissioners' Courts from the decrees of the Deputy Commissioners' or District Courts, the number of appeals pending at the close of the year, and the average duration of appeals:—

Appellate Court	Number of appeals preferred.*	Number of appeals disposed of.						Pending.		Average duration of appeals.
		Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of, including transfers.	Total.	For more than three months.	Total.	
Commissioner of Arakan	1	...	...	...	1	...	1	...	...	72
Commissioner of Pegu	8	5	...	1	3	...	9	...	...	40
Commissioner of Irrawaddy	5	4	...	..	1	...	5	...	1	127
Commissioner of Tenasserim	3	2	...	...	1	...	3	...	...	23
Total 1890 ...	17	11	...	1	6	...	18		1	63
In 1888 ...	16	7	3	...	5	2	17	..	1	36

* Excluding cases received by transfer and cases pending from previous year.

The civil appellate work of Commissioners is insignificant. The duration of appeal cases in the Court of the Commissioner of Irrawaddy is even higher than last year. This, the Commissioner says, is due to press of criminal work and general executive duty connected with the division.

14. The following table shows the number and result of regular appeals preferred in the Court of the Judicial Commissioner :—

Division.	Court from whose decision appeal was made.	Number of appeals preferred.*	Number of appeals disposed of.						Pending.
			Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of.	Total.	
Arakan.	Deputy Commissioner, Akyab	1	1	...	...	...	...	1	...
	Deputy Commissioner, Kyaukpyu	9	6	...	...	3	...	9	...
	Deputy Commissioner, Sandoway	2	1	...	...	1	...	2	...
	Commissioner of Arakan	...	...	...	...	...	...	...	...
	Total ...	12	8	...	...	4	...	12	...
Pegu.	Deputy Commissioner, Hanthawaddy ...	8	6	1	1	2	...	10	2
	Deputy Commissioner, Pegu	22	16	...	2	8	...	26	4
	Deputy Commissioner, Tharrawaddy,... ...	4	1	...	1	1	...	3	1
	Deputy Commissioner, Prome	22	14	2	...	10	...	26	4
	Commissioner of Pegu	3	2	1	...	1	...	4	...
	Total ...	59	39	4	4	22	...	69	11
Irrawaddy.	Deputy Commissioner, Henzada	12	3	...	2	6	...	11	2
	Deputy Commissioner, Bassein	19	15	...	1	1	...	17	8
	Deputy Commissioner, Thôngwa	14	17	...	...	1	...	18	...
	Deptuy Commissioner, Thayetmyo	8	1	6	3	...	...	10	1
	Commissioner of Irrawaddy	1	1	...	...	...	...	1	...
	Total ...	54	37	6	6	8	...	57	11
Tenasserim.	Deputy Commissioner, Akyab	7	9	...	...	1	...	10	...
	Deputy Commissioner, Shwegyin	1	2	...	...	...	...	2	...
	Deputy Commissioner, Toungoo	6	5	...	...	1	1	7	2
	Deputy Commissioner, Tavoy	4	6	...	1	...	...	6	...
	Deputy Commissioner, Mergui	3	1	...	...	2	...	3	...
	Deputy Commissioner, Salween	...	...	...	...	...	...	...	...
	Commissioner of Tenasserim	2	1	...	...	...	...	1	1
	Total ...	23	23	...	1	4	1	29	3
	Grand Total 1890 ..	148	107	10	11	38	1	167	25
	In 1889 ...	136	72	6	3	37	3	121	45

* Excluding cases pending from previous year.

More regular appeals were instituted in my Court than in any previous year. The figures for the past seven years are given below :—

Year.	Appeals instituted.
1884	111
1885	127
1886	84
1887	105
1888	125
1889	136
1890	148

The proportion of decrees confirmed to total disposed of was 64 per cent. as compared with 60 per cent. in 1889 and 53 per cent. in 1888. This result is creditable to the subordinate Courts.

The total number of appeals disposed of by me was 167 against 121 in the previous year, and at the close of the year only 25 appeals were pending as compared with 45 pending at the close of 1889.

The largest number of appeals, as might be expected, come from the Pegu and Irrawaddy divisions, and from the districts of Pegu, Prome, and Bassein.

15. The following table shows the number and result of miscellaneous appeals preferred in the Court of the Judicial Commissioner :—

Division.	Court from whose decision appeal was made.	Number of appeals preferred.*	Number of appeals disposed of.						Pending.
			Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of.	Total.	
ARAKAN.	...	...	...	...	...	...	...	...	...
	...	...	...	...	...	...	...	...	...
	...	...	...	...	...	...	...	...	...
	...	...	...	...	...	...	...	...	...
	Total ...	...	...	...	...	...	...	...	...
PEGU.	Deputy Commissioner, Pegu	1	1	...	...	...	...	1	...
	Deputy Commissioner, Tharrawaddy	2	1	...	...	1	...	2	...
	Total ...	3	2	...	...	1	...	3	...
IRRAWADDY.	Deputy Commissioner, Thayetmyo	1	...	...	...	1	...	1	...
	Total ...	1	...	...	...	1	...	1	...
TENASSERIM.	...	...	...	...	...	...	...	...	...
	...	...	...	...	...	...	...	...	...
	Total ...	...	...	...	...	...	...	...	...
	GRAND TOTAL 1890 ...	4	2	...	...	2	...	4	...
	In 1889 ...	5	1	1	1	3	...	6	...

* Excluding cases pending from previous year.

These figures call for no remark.

16. The following table shows the number and result of applications for revision preferred to the Judicial Commissioner under section 622 of the Code of Civil Procedure and section 25 of the Provincial Small Cause Courts Act :—

Division.	Court for revision of whose decision application was made.	Number of applications preferred.*	Number of applications disposed of.						Pending.
			Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of.	Total.	
ARAKAN.	Deputy Commissioner, Akyab	1	...	1	...	1	...	2	...
	Total ...	1	...	1	...	1	...	2	...
PEGU.	Deputy Commissioner, Hanthawaddy	2	2	...	...	...	...	2	...
	Deputy Commissioner, Pegu	4	4	1	...	...	...	5	...
	Deputy Commissioner, Tharrawaddy	1	...	...	...	...	...	...	1
	Deputy Commissioner, Prome	2	1	...	...	...	...	1	1
	Commissioner, Pegu	1	...	...	...	1	...	1	...
	Total ...	10	7	1	...	1	...	9	2
IRRAWADDY.	Deputy Commissioner, Thôngwa	1	2	...	...	...	...	2	...
	Deputy Commissioner, Henzada	4	3	...	...	1	...	4	...
	Deputy Commissioner, Bassein	1	1	...	...	...	...	1	...
	Total ...	6	6	...	...	1	.	7	...
TENASSERIM.	Small Cause Court, Toungoo	1	1	...	...	...	...	1	...
	Deputy Commissioner, Tavoy	2	2	...	...	...	...	2	...
	Judge of Moulmein	1	1	...	...	...	...	1	...
	Total ...	4	4	...	...	...	...	4	...
	GRAND TOTAL 1890 ...	21	17	2	...	3	...	22	2
	In 1889 ...	33	27	1	...	2	...	30	3

* Excluding cases pending from previous year.

This statement also calls for no remark.

17. In addition to the work disposed of by the Judicial Commissioner, as shown in the tables given in the last three paragraphs, he disposed of 127 miscellaneous applications. Out of these 12 were for review of judgment, 36 were complaints against the conduct of Advocates, 69 were applications preferred by Advocates for enrolment or for verification or renewal of their certified extracts from the roll or for permission to practise in other districts, 4 were applications for permission to appeal *in formâ pauperis*, 3 were applications for transfer of cases, 1 was an application from an Advocate applying for permission to resign his position as an Advocate, and 2 were applications containing general complaints against the proceedings or conduct of presiding officers of Lower Courts.

III.—Miscellaneous.

18. The following table shows the financial result of the rules framed under section 20 of the Court Fees Act regulating the fees chargeable for serving processes and remuneration of peons of the Civil Courts:—

Division.	Name of district.	Number of processes issued.	Receipts from process fees.	Charges, including salaries of process-servers, contingencies, &c.
			Rs. A. P.	Rs. A. P.
Arakan.	Akyab	7,593	5,328 8 0	6,469 6 0
	Kyaukpyu	2,536	1,646 0 0	1,800 6 0
	Sandoway	1,154	714 0 0	582 14 0
	Northern Arakan	...	...	...
	Total ...	11,283	7,688 8 0	8,852 10 0
Pegu.	Hanthawaddy	5,753	3,483 0 0	2,029 6 9
	Pegu	8,413	6,937 12 0	4,836 0 0
	Tharrawaddy	7,898	4,576 0 0	4,700 12 0
	Prome	9,566	5,971 8 0	5,038 9 0
	Total ...	31,630	20,968 4 0	16,604 11 9
Irrawaddy.	Henzada	10,005	6,150 8 0	3,893 8 9
	Bassein	13,810	8,202 0 0	6,673 2 0
	Thôngwa	13,114	8,928 2 0	4,907 3 8
	Thayetmyo	4,817	3,000 10 0	2,122 3 3
	Total ...	41,746	26,281 4 0	17,596 1 8
Tenasserim.	Amherst	6,738	4,553 12 0	4,035 12 0
	Shwegyin	6,099	3,547 0 0	2,292 0 0
	Toungoo	5,022	2,803 0 0	2,373 8 0
	Tavoy	2,551	1,614 8 0	1,044 10 0
	Mergui	...	1,571 4 0	792 0 0
	Salween	198	162 0 0	83 0 0
	Moulmein	7,685	7,244 10 0	1,927 13 2
	Total ...	28,293	21,496 2 0	12,548 11 2
	Grand Total 1890 ...	112,952	76,434 2 0	55,602 2 7
	In 1889 ...	118,637	76,535 6 0	54,252 6 2

Complete reliance cannot be placed on these figures as great difficulty is experienced in getting the Myoôks' Courts to keep the registers properly from which the figures are taken. There has, however, owing to the more frequent inspections of the inferior Courts by District Officers, been considerable improvement in the maintenance of registers by these Courts last year, and, taking the figures as approximately correct, they show a surplus of Rs. 20,832 against a surplus of Rs. 22,283 in the previous year. Every district shows a surplus, except the Akyab, Kyaukpyu, and Tharrawaddy districts.

In last year's report I referred to the draft rules I had submitted to the Government, under which it was proposed to amalgamate the Civil, Criminal, and Revenue process-serving establishments in all Courts and Revenue Offices, to lay down a new scale of process fees, to fix the proper procedure to be observed in issuing and serving processes, and finally to prescribe an entirely new set of process registers. These rules were during the past year, under the Chief Commissioner's orders, referred for consideration to a Committee consisting of Mr. F. W. R. Fryer, C.S.I., Financial Commissioner, Colonel Strover, Commissioner of Pegu, and myself. The Committee having reported on the rules, they were adopted by the Chief Commissioner with some modifications and were submitted to and received the sanction of the Government of India. The rules came into force from the 1st April of the current year.

19. *Cost of Litigation.*—The percentages of costs to value in all Civil Courts for the last seven years have been as follows :

	Original.	Appeal.	Execution.
1884	15·65	20·31	2·53
1885	14·10	19·22	1·97
1886	14·56	15·09	1·90
1887	11·71	14·20	·91
1888	14·56	17·48	1·52
1889	14·87	20·75	1·68
1890	14·80	20·67	1·28

The highest percentages occur in the districts of Kyaukpyu, Sandoway, Tharrawaddy, Henzada, and Mergui.

20. *Advocates.*—The number of Advocates enrolled in the Judicial Commissioner's Court during the year was—

1st grade, two (of whom one was a Barrister).
2nd grade, none.

It was stated in last year's report that there was reason to suspect that in some districts persons were practising as Advocates without proper licenses and that I had therefore found it necessary to direct all District Officers to require Advocates practising in their districts to produce their licenses with a view to having them submitted to this Court for verification. The result has been that out of 448 2nd and 3rd grade Advocates borne on the rolls of the Judicial Commissioner's Court only 250 have sent in their licenses for verification, and of those sent in it was found that some were forged, not being true extracts from any entry in the roll of this Court. It was also found that the roll itself had been tampered with. After giving the holders of these forged extracts every opportunity of explaining how they came by them the Judicial Commissioner decided to report the matter to Government with a view to its being determined whether they should not be prosecuted under section 471, Indian Penal Code. The Government having directed a prosecution, convictions were in the Magistrate's Court obtained in nearly every case. In one case the Magistrate acquitted the accused, and in two others, after conviction by the Magistrate, the Sessions Judge acquitted the accused on appeal. Against these orders of acquittal the Government appealed to this Court and since the close of the year these orders have been set aside in every case. In view of these cases it has become necessary to require all Advocates of the inferior grades to renew their licenses annually as they do in other parts of India. I have also decided to revive the 3rd grade Advocate, who was abolished by the Advocate's Rules of 1883. Unless this is done, it may be anti-

cipated that in the course of another 20 years, excepting 1st grade Advocates, who confine their practice as a rule to Rangoon and its immediate neighbourhood, there will be no Advocates left in the province. The old 3rd class men are dying out and the 2nd class Advocates who are now being admitted are not supplying their places. Since the annual Advocate's examination, which is conducted by the Educational Syndicate, was instituted in 1884 only five persons have passed the 1st grade, and 10 have passed the 2nd grade Advocate's examination and have received licenses to practice. This does not meet the wants of the people, who stand much in need of legal advice, especially in cases arising out of claims to the ownership or to the settlement of land. These and other considerations have induced me, in consultation with the Recorder, to entirely recast the existing rules of 1886 relating to the qualification and admission of Advocates in Lower Burma. The rules have recently been submitted to the Chief Commissioner for approval.

All Advocates of the 2nd and 3rd grades who had not submitted their licenses to this Court for verification before the close of the past calendar year have been struck off the Advocate's roll of this Court. The number of these Advocates on the roll at the commencement of the current year was—

2nd grade	...	...	70
3rd grade	...	...	180

21. *Inspection.*—Since the submission of my report for the year 1889 I have inspected all the Courts at the headquarters of every district with the exception of Sandoway, Salween, and the Arakan Hill Tracts. I have also visited and cursorily inspected the Subdivisional and Myoôks' Courts at Paungdè and Myedè in the Prome and Thayetmyo districts. The time at my disposal for touring does not admit of my doing more inspection work than this. The responsibility of inspecting the subordinate Courts in each district rests with the Commissioners and Deputy Commissioners. In carrying out these inspections Commissioners and Deputy Commissioners have my inspection notes of the headquarters Courts to guide them, and they see, or are expected to see, that the errors in procedure and practice there pointed out are corrected, if they are discovered to exist, in the inferior Courts in the interior of districts. I cannot lay too much stress on the necessity that exists for frequent inspections by Commissioners and Deputy Commissioners of the subordinate Courts of each district. Few things are more disheartening to a Judicial Commissioner in this province than to find that after all the trouble taken to frame and issue plain and simple instructions for the guidance of the subordinate Courts, and to have them carefully translated into the vernacular for the benefit of the Myoôks and clerks who do not know English, those instructions are persistently disregarded by the presiding officers of the Courts concerned and in many cases are never even read. The only way to check this apathy is to insist upon constant inspections by the Commissioner and District Officer. So far as the Courts at district headquarters are concerned I can see that my orders are attended to, but I must depend upon the local officers to enforce those orders in the Courts in the interior. The inspection notes which these officers are now required to submit to me, in most cases, enable to me judge how far they do enforce those orders.

The following statement shows the amount of inspection work done by Commissioners and District Officers during the past year :—

District.	Courts liable to inspection by the District Officer other than those at District Head-quarters.		Courts actually inspected.		Remarks
	Number of Subdivisional Courts	Number of Township Courts.	Subdivisional Courts.	Township Courts.	
Akyab	3	8	2	7	Naaf Subdivisional Court and Kyelet Township Court not inspected.
Kyaukpyu ...	1	4	1	4	
Sandoway	.	2	...	2	
Total Arakan division ..	4	14	3	13	
Hanthawaddy	1	4	1	4	
Pegu	1	5	1	1	Payagale, Paunglin, Kawa, and Pagandaung Township Courts not inspected
Tharrawaddy	1	5	...	5*	North Tharrawaddy Subdivisional Court not inspected. *Gyobingauk, Tapun, and Mônyo Township Courts inspected, but no inspection notes received.
Prome	2	6	1	4	Paungdè Subdivisional Court and Shwele and Paungdè Township Courts not inspected.
Total Pegu division ..	5	20	3	14	
Henzada	2	5	2	3	Kanaung and Myanaung Township Courts not inspected
Bassein	2	8	1	5	Ngathainggyaung Subdivisional Court and Thabaung, Kangyidaung, and Lemyethna Township Courts not inspected
Thôngwa	3	7	3	6	Dedayè Township Court not inspected.
Thayetmyo	2	6	2	6	
Total Irrawaddy division	9	26	8	20	
Amherst	3	11	...	5	Kawkareik, Hlaingbwè, and Thatôn Subdivisional Courts, and Yelamaing, Wagaru, Gyaing, Attaran, Gyaing-Salween, Salween Hlaingbwè, and Pagat Township Courts not inspected.
Shwegyin	2	4	...	1	Pyuntaza and Sittang Subdivisional Courts, and Kyaukkyi, Sittang, and Bilin Township Courts not inspected.
Toungoo	1	6	1	6	
Tavoy	...	3	...	1	South, Eastern, and Western Township Courts not inspected.
Meiguí	...	4	...	4	
Salween	...	..	...	...	
Total Tenasserim division ...	6	28	1	17	
Grand Total ...	24	88	15	64	

The inspection work done in Pegu, Prome, Bassein, Amherst, Shwegyin, and Tavoy has been altogether insufficient. The Deputy Commissioner of Tavoy has only three townships to inspect and he inspected only one. The Deputy Commissioner of Pegu has five townships and he also inspected only one. It is impossible to expect Township Officers to carry out their judicial duties properly if the District Officer does not look after them. In the adjoining district of Mergui the Deputy Commissioner managed to inspect all his four townships notwithstanding the difficulty of access to some of them. Besides the Courts inspected by the District Officers the following Courts were inspected by Commissioners of Divisions :—

Court of Deputy Commissioner, Prome, by Commissioner of Pegu.

Court of Deputy Commissioner, Arakan Hill Tracts, by Commissioner of Arakan.

By Commissioner of Pegu.

Township Courts at Sanywe, Minhla, Gyobingauk, Tapun, and Subdivisional Court at Zigôn in the Tharrawaddy district.

Township Courts at Paungdè, Padaung, Mahathaman, Thègôn, and Subdivisional Courts at Paungdè and Shwedaung in the Prome district.

Township Courts at Hlaing, Hmawbi, and Subdivisional Court a Insein in the Hanthawaddy district.

Township Courts at Payagale, Paunglin, Kawa, Pagandaung, Kyauktan, and Subdivisional Court at Pegu in the Pegu district.

The Deputy Commissioner, Mergui, also reports that the Commissioner of Tenasserim inspected the Courts in his district during the year, but no inspection notes have reached this office.

22. *Judicial Commissioner's Circulars.*—In my Criminal Justice Report I have referred to an important work I have succeeded in completing before making over charge to my successor, namely, the compilation of a volume of circulars for the guidance of all Criminal Courts in Lower Burma. It has been impossible for me to complete the volume of civil and general circulars before leaving the province, but some progress has been made with this volume, and I have left on record a complete sketch of what this volume was intended by me to contain. Like the volume of criminal circulars this volume will, I have no doubt, prove a useful guide to all Civil Courts in Lower Burma.

23. I was in charge of the office of Judicial Commissioner throughout the year.

RANGOON :
The 14th May 1891.

W. E. WARD,
Judicial Commissioner, Lower Burma.

THE CIVIL JUSTICE REPORT OF UPPER BURMA FOR THE YEAR 1890.

BENGAL SECRETARIAT LIBRARY

From G. J. S. HODGKINSON, Esq., C.S.I., Judicial Commissioner, Upper Burma, to the Secretary to the Chief Commissioner, Burma,—No. 925-35—40, dated the 12th May 1891.

I HAVE the honour to submit the civil justice statements for the year 1890 for Upper Burma.

2. A Judicial Commissioner was appointed for Upper Burma on the 26th July 1890; before that date each Commissioner exercised the power of a Judicial Commissioner in his own division. The statements submitted from the different districts, both before and after that date, have been, as far as possible, checked and corrected by this Court.

I.—ORIGINAL JURISDICTION.

3. There were no original suits instituted or disposed of in the Court of the Judicial Commissioner, Upper Burma.

4. The table given below represents the number of suits instituted since 1888 in Civil Courts of the four divisions.

	1888.	1889.	1890.
Northern division	1,977	2,092	2,343
Central division	798	977	1,097
Southern division	Not stated.	1,994	3,192
Eastern division	1,941	2,411	2,706
Total ..	4,716	7,474*	9,338

5. The following table shows the number of cases instituted in the different Courts of original jurisdiction, the number disposed of, and the state of the files at the close of the year as compared with similar results for the preceding year:—

Division.	Name of district.	Instituted.		Disposed of.		Pending at the close of the year.			
						Above four months.		Total pending.	
		1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
NORTHERN.	Mandalay	309	297	307	299	...	...	6	1
	Bhamo	228	229	221	232	...	...	7	4
	Katha	62	175	58	167	...	4	4	8
	Ruby Mines	3	28	3	25	...	...	...	3
	Shwebo	367	540	348	526	...	...	19	28
	Civil Court, Mandalay ...	1,123†	1,074	1,076	1,079	56	27	56	87
	Total ...	2,092	2,343	2,013	2,328	56	31	92	131

* Includes 224 cases instituted in Kyanksè.

		Instituted.	Disposed of.
† 1st Judge	...	945	889
2nd Judge	...	178	187

Division.	Name of district.	Instituted.		Disposed of.		Pending at the close of the year.			
						Above four months.		Total pending.	
		1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
Central	Ye-u ...	126	144	124	143	..	...	2	3
	Sagaing	378	412	367	382		11	11	42
	Lower Chindwin	306	345	299	342	...	8	7	10
	Upper Chindwin ...	167	196	164	181		6	8	19
	Total ...	977	1,097	954	1,048	.	20	28	74
Southern.	Myingyan ..	560	883	564	876	...	...	24	30
	Pakôkku	526	838	522	818	...	..	12	21
	Minbu	589	727	523	702	2	30	38	61
	Magwe	369	749	356	781	...	1	40	12
	Total ...	1,994	3,192	1,965	3,172	2	31	114	124
Eastern.	Kyauksè*	224	258	220	245		2	4	9
	Meiktila ..	805	1,206	784	1,230	15	...	57	32
	Yamèthin	918	851	917	842	4	1	21	29
	Pyinmana	463	396	470	416	3	...	21	5
	Total .	2,410	2,706	2,391	2,733	22	3	103	75
	Grand Total ...	7,478	9,388	7,323	9,281	30	85	332	404

* This district was included in the Central division in 1889.

The cases brought to Court represent as yet but a small fraction of the litigation in the country. Most cases are still decided by arbitration.

There has been an increase over 1889 in the number of suits instituted of nearly 25 per cent. The increase is largest in the Southern division, especially in the Magwe district, where the number of institutions has more than doubled. Speaking generally it is most marked in those districts which have been most recently completely reduced to order, while Yamèthin, Pyinmana, and Mandalay each show a small decrease. In the Ruby Mines the increase is attributable to a large increase in the district area since 1889 and the ingress of Natives of India. The general state of the files at the close of the year was satisfactory, but in Minbu the Court of the Sidôktaya Myoôk shows 25 cases pending over four months for which he has no valid explanation to offer. Indeed the long duration of these undecided cases was only discovered on inspection of his Court by the Deputy Commissioner; it had not been shown in his quarterly return. He had probably put them on one side in the hope that a compromise would be effected by the parties according to Burmese custom. The Court of the Myoôk at Ava in the Sagaing district also shows an undue proportion of pending cases.

6. The following table shows the character of the original litigation in the different districts and classes of Courts :—

Division	Name of district.	Number of suits													
		On written obligation.	On unwritten obligation.	On account stated.	Money lent and received.	For goods sold.	For breach of contract not mentioned above.	For rent.	For moveable property or value thereof.	For damages.	For immoveable property or interest therein.	For specific performance of contract.	For dissolution of marriage or for enforcement of matrimonial right.	Other suits.	Total.
Northern.	Mandalay	71	42	10	31	26	32	5	51	10	10	...	0	8	297
	Bhamo	25	22	6	40	39	26	0	22	19	9	..	6	13	299
	Katha ...	21	22	8	40	40	12	6	10	1	1	...	0	4	175
	Ruby Mines	4	5	.	11	4	1	...	1	...	2	...	...	...	28
	Shwebo	122	95	4	48	75	32	24	57	4	40	...	11	28	540
	Civil Court, Mandalay ...	435	48	2	80	211	103	22	19	11	100	...	15	10	1,074
	Total ...	678	234	25	250	395	206	60	160	38	171	.	44	67	2,343
Central.	Ye-u	37	27	3	1	18	8	3	8	3	26	..	3	7	144
	Sagaing	89	38	4	50	28	8	17	57	25	81	...	5	15	412
	Lower Chindwin ...	91	27	22	29	31	3	2	23	16	85	1	8	7	345
	Upper Chindwin ...	49	48	2	22	19	21	5	5	0	9	...	6	1	196
	Total ...	266	140	31	102	91	40	27	93	53	201	1	22	30	1,097
Southern.	Myingyan ...	171	148	9	11	123	7	11	79	65	226	1	9	23	883
	Pakokku	174	106	3	41	113	45	11	36	30	191	...	26	57	833
	Minbu	214	86	7	16	42	18	10	123	16	167	...	9	19	727
	Magwe	181	56	24	46	95	22	14	71	42	180	...	8	10	749
	Total ...	740	396	43	114	373	92	46	309	153	764	1	52	109	3,192
Eastern.	Kyaukse	40	43	11	19	46	11	12	25	12	10	...	12	12	253
	Meiktila	206	263	25	29	158	19	16	58	27	275	...	23	18	1,206
	Yamèthin	208	100	11	61	65	32	22	68	12	221	...	17	34	851
	Pyinmana	135	34	1	30	67	34	6	8	16	44	...	7	14	396
	Total ...	678	440	48	139	336	96	56	159	67	550	...	59	78	2,706
	Grand Total ...	2,362	1,210	147	605	1,195	434	195	730	311	1,686	2	177	284	9,338

A marked feature in the litigation of the year is the increase of suits for immoveable property or interest therein. These suits are of two kinds—(1) for redemption of land mortgaged, (2) for division of ancestral property. They usually present considerable difficulties, partly owing to the remoteness of the date to which the suit has to be referred back and to the absence of trustworthy documentary evidence, but also to the practice which appears to have been common for any one of the joint-heirs of an estate to mortgage what he considered to be his share of the undivided estate without reference to the other heirs. These mortgagees and their heirs again submortgaged their shares of this land to others. "In many cases in the Meiktila district," writes the Deputy Commissioner, "the land continued to become worth less and less money, and "the people in occupation either stopped working it or realized a few rupees on "it and left the district. Now that the land is rapidly increasing in value all "persons having any claims, real or fancied, to the land are returning and claiming "their right to share in it. It is very often almost impossible to find out who is "the actual possessor of the land in dispute as, in case where it has not been worked "for some years, there may be two or three persons who have considered them-"selves to be in possession and no records exist to prove the occupation of any "particular person." A Burman clings most tenaciously to his land. Ancestral property is mortgaged, hardly ever sold; and the great rise in the value of land has given, and will continue to give, a stimulus to these cases. But the operation of the Limitation Act will shut out the cases which present the most difficulties owing to the remoteness of the transaction to which they have reference.

7. Curiously enough the increase of cases in which immoveable property in the town of Mandalay is involved is attributed to exactly the contrary reason, the depreciated value of land, and particularly of house property, within the town. After the annexation extravagant ideas were entertained of the probable trade of the place when the railway should be made. The large influx of traders and money-lenders was followed by a *boom* in landed and house property, and large sums of money were raised upon it. The reaction has now set in. Trade carried on by so largely increased a number of rival competitors, mostly with money borrowed at high interest, is found insufficient to allow a fair profit to each; the value of property has run down, and the Chetty money-lender, finding no margin of security exists on the property pledged to him, is calling in his money. "One property," writes the Judge of Mandalay, "for which a year after the annexation "offers of Rs. 12,000 were refused and which was taken as security for a loan of "Rs. 8,000, had depreciated in value at the time when proceedings had been in-"stituted to Rs. 2,000, and the lender was unable to get even a moiety of the prin-"cipal of his loan. The Chetties had determined during the course of the year to "reduce their houses of business by two-thirds and to get in all outstanding loans "except those on the best security. A large number of loans were compounded "for, I am informed, at 8 to 12 annas in the rupee, and in cases where even these "terms could not be obtained, a resort to the Court was had for sale under the "mortgage * * * In most instances in the sale of attached property the "amount realized was a great deal less than half of the amount decreed; and in "cases of immoveable property the friends of the decree-holder in the case of "Chetties purchased in their names, no doubt *benami*, for the decree-holders. But "there is nothing to go on to prevent such purchases, while but for their bids the "property would fetch still less."

8. The table below shows the value of original suits:

Division.	Name of district.	Number of suits instituted not exceeding in value							Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.	Total value of suits		
		Rs 10.	Rs 50.	Rs. 100.	Rs. 500.	Rs. 1,000.	Rs. 5,000.	Rs. 10,000.			Rs.	A	P
Northern	Mandalay	44	148	53	45	1	..	..	..	6	18,051	2	7
	Bhamo	28	79	50	49	..	4	4	2	13	1,77,483	4	8
	Katha	18	66	41	42	8	2	2	..	6	25,806	1	4
	Ruby Mines ..	1	11	7	5	4	..	..	..	..	4,276	8	6
	Shwebo	80	274	123	58	2	1	..	..	2	30,072	12	8
	Civil Court, Mandalay ..	74	324	172	304	74	94	9	4	19	4,66,686	8	11
	Total ..	210	902	446	503	84	101	15	6	46	7,22,376	6	8
Central.	Ye-u	15	76	35	17	..	..	..	..	1	8,954	10	0
	Sagaing	34	168	98	97	8	2	..	..	5	40,855	2	8
	Lower Chindwin ..	21	145	74	88	3	2	..	..	9	32,708	15	0
	Upper Chindwin ..	2	97	44	48	2	2	..	..	6	19,109	14	3
	Total ..	75	486	251	245	13	6	..	..	21	1,01,628	9	11
South-ern.	Myingyan	76	355	226	191	16	10	..	..	9	1,07,611	5	11
	Pakôkku	66	368	186	167	8	5	1	..	32	76,422	8	7
	Minbu	47	300	168	163	19	16	..	..	14	92,313	3	11
	Magwe	77	356	163	127	11	3	..	..	12	63,869	2	0
	Total ..	266	1,379	743	648	54	34	1	..	67	3,40,216	4	5
Eastern.	Kyaukse	25	119	49	44	3	1	..	..	12	19,679	2	10
	Meiktila	92	631	265	189	5	2	..	..	22	82,546	6	8
	Yamethin	90	348	210	170	12	5	1	1	14	80,911	0	2
	Pyinmana	29	168	88	92	8	2	1	1	7	60,834	13	10
	Total ..	236	1,266	612	495	28	10	2	2	55	2,43,971	7	6
	Grand Total ..	817	4,033	2,052	1,891	179	151	18	8	189	14,08,192	12	6

Out of a total of 9,338 suits instituted about 52 per cent. did not exceed Rs. 50 in value and 74 per cent. did not exceed Rs. 100.

9. The manner in which the litigation was disposed of in the several Courts is shown below.

Division.	Name of district.	Number of cases brought on the file, including pending from last year.	Transferred.	Plaint rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*.	Contested cases. Judgment for plaintiff in whole or in part.	Contested cases. Judgment for defendant.	Total disposed of.	Pending.	Referred to arbitration.
Northern.	Mandalay	300	...	...	29	...	24	59	17	5	138	22	299	1	5
	Bhamo	236	...	2	47	5	15	54	27	6	54	12	222	4	10
	Katha	175	...	1	3	...	27	20	10	...	88	18	167	8	...
	Ruby Mines	28	...	1	6	...	7	1	2	...	4	4	25	3	...
	Shwebo	554	4	1	38	5	165	101	55	43	74	48	526	28	16
	Civil Court, Mandalay ...	1,166	...	18	108	23	81	159	392	12	195	86	1,079	87	5
	Total ...	2,459	4	23	231	33	319	394	483	66	553	190	2,328	131	36
Central.	Ye-u	146	...	5	27	5	31	10	3	2	40	26	143	3	...
	Sagaing	424	...	1	47	...	64	29	38	13	134	52	382	42	4
	Lower Chindwin	352	1	...	8	...	69	32	12	8	128	64	342	10	21
	Upper Chindwin	200	...	1	6	6	36	22	12	2	77	14	181	19	5
	Total ...	1,122	1	7	88	11	200	93	65	25	379	156	1,048	74	30
Southern.	Myingyan	906	1	16	65	7	220	25	90	79	253	118	876	30	3
	Pakôkku	834	16	12	55	14	171	106	43	46	252	100	813	21	14
	Minbu	763	10	6	88	6	127	77	38	17	186	99	702	61	58
	Magwe	793	...	10	197	11	140	72	44	23	190	86	781	12	8
	Total ...	3,296	27	44	405	38	658	280	215	165	881	403	3,172	124	83
East-ern.	Kyaukse	254	1	...	9	...	65	30	6	12	93	30	245	9	...
	Meiktila	1,262	28	6	308	12	122	113	138	30	323	113	1,220	32	65
	Yamethin	871	7	3	67	2	83	42	44	48	310	148	842	29	95
	Pyinmana	421	2	1	14	25	30	76	60	49	129	41	416	5	...
	Total ...	2,808	38	10	398	39	300	261	248	139	846	332	2,733	75	160
	Grand Total ...	9,685	70	84	1,122	121	1,477	1,028	1,011	395	2,659	1,075	9,281	404	309

The percentage of contested cases is 40·2 per cent. In Lower Burma the percentage was 36·5 in 1889. The real issue of by far the most of the numerous cases entered as dismissed by default is payment or adjustment of the claim out of Court before the cases come on for hearing. Though they would seem to have been decided against plaintiff, this resort to the Courts has really secured for him all he sought.

The number of suits compromised is as high as 15 per cent. Upper Burma Myoôks love a compromise, and suitors are, I think, generally satisfied that substantial justice is done; still the procedure adopted, though perhaps not unsuitable for getting at the bottom of a case, is irregular; there is little or no record; and there is always a tendency to protract the case and a danger of a door being opened to corruption. Our methods are being generally insisted on and Myoôks of the country have greatly improved in the method of disposing of civil suits; still there is much room for improvement, especially in the more inaccessible and unhealthy parts of the country, where the Myoôk, a man of the place, is ignorant and seldom inspected. Next year it is to be hoped that the Deputy Commissioner of Pakôkku will not have to record remarks like the following:

"The Laungshe Myoôk usually decreed the whole amount claimed if the claim was admitted and half if it was not. The system of reducing his proceedings to writing was introduced during the year. The Lingadaw Myoôk in cases of difficulty resorted to the trial by ordeal, the suit to fall to the party whose candle burnt longest. In some cases

the issues were fixed and a decree promised to whichever party would swear to the truth of his contention, but no actual decision was recorded."

10. The average duration of suits in the Courts of original jurisdiction was as follows:

Division.	Name of district.	Average duration of suits: For previous year. Contested.	For previous year. Uncontested.	For year of report. Contested.	For year of report. Uncontested.
		Days.	Days.	Days.	Days.
Northern.	Mandalay	Not obtainable		11	8
	Bhamo	..	...	11	9
	Katha	.	.	9	11
	Ruby Mines	11	5	11	16
	Shwebo	Not obtainable		22	11
	Civil Court, Mandalay	36	14	38	16
	Total ...	..	.	21	14
Central.	Ye-u	18	9	16	12
	Sagaing	17	6	24	18
	Lower Chindwin...	16	10	16	11
	Upper Chindwin	18	15	21	15
	Total ...	.	...	19	12
South-ern.	Myingyan	19	11	23	15
	Pakôkku	13	9	15	12
	Minbu	56	30	34	21
	Magwe	36	51	29	26
	Total ...	...	...	18	14
East-ern.	Kyauksè	30	42	12	10
	Meiktila	9	8	18	11
	Yamèthin	16	8	16	10
	Pyinmana	24	16	27	11
	Total ...	...	...	18	11

This table would show that the average duration has been 20 for contested and 20 for non-contested cases, and this, I think, is approximately correct. The figures for Katha are not, however, correct. It would appear that the duration has been calculated not from the date of filing the plaint, but from the date fixed for the first hearing of the case.

Subdivisional Courts appear as a rule to take the longest time over their cases. The long duration in those of the Magwe district betokens a want of method on the part of the Subdivisional Officers in the disposal of their work. There has been a marked increase of the duration of suits in the headquarter Courts at Myingyan, attributed to increase of work, while the Township Courts show a marked improvement. In the Civil Court at Mandalay the duration would be less were there not so great a disposition in contested cases to grant remands to suit the convenience of Advocates who have cases elsewhere. Myoôks who are up-country men in remote townships keep cases pending an unduly long time. In one Court at Dabwin, where the work is very light, cases shown as uncontested lasted 166 days.

11. The following table shows the number of applications for execution and the degree in which the applications were satisfied :—

Division	Name of district.	Number of applications for execution, including those pending from last year.	Decrees completely satisfied.	Decrees partially satisfied.	Pending at the close of the year.
Northern.	Mandalay ...	37	19	3	8
	Bhamo	43	26	5	...
	Katha	18	14	2	1
	Ruby Mines	3	2	..	1
	Shwebo	82	18	7	2
	Civil Court, Mandalay	518	124	98	13
	Total ...	651	203	115	25
Central.	Ye-u	11	3	4	...
	Sagaing	58	36	7	9
	Lower Chindwin	12	7	4	.
	Upper Chindwin	11	8	...	3
	Total ...	92	54	15	12
Southern.	Myingyan	120	77	34	7
	Pakokku	65	36	19	5
	Minbu	108	67	18	10
	Magwe	75	39	20	4
	Total ...	377	219	91	26
Eastern.	Kyaukse	35	18	14	.
	Meiktila	106	58	9	5
	Yamethin	90	62	12	5
	Pyinmana	96	50	20	4
	Total ..	327	188	55	14
	Grand Total ..	1,447	664	276	77

Or roughly—

	Per cent.
Wholly successful	49
Partially successful	20
Wholly unsuccessful	31

This is a somewhat better result than Lower Burma showed in the last published report. But, as a matter of fact, resort is not had to the Court to execute a decree as a rule. Decrees are settled out of Court and payment is merely certified.

12. Processes of execution were issued as follows:

Division.	Name of district.	Mode of execution.						Orders under section 243, Civil Procedure Code.
		Delivery of possession.	Imprisonment of person.	Moveable property.		Immoveable property.		
				Attached.	Sold.	Attached.	Sold.	
Northern.	Mandalay	...	...	22	22	...	...	...
	Bhamo	...	...	16	5	5	...	...
	Katha	1	...	6	...	5	...	3
	Ruby Mines	...	...	2	...	...	...	...
	Shwebo	...	...	3	3	...	...	...
	Civil Court, Mandalay	50	...	96	54	75	53	1
	Total ...	51	...	145	84	85	53	4
Central.	Ye-u	...	...	3	1	...	...	...
	Sagaing	3	...	11	5	7	7	...
	Lower Chindwin	...	...	6	3	5	...	...
	Upper Chindwin	3	...	3	1	...	...	...
	Total ...	6	...	23	10	12	7	...
Southern.	Myingyan	3	...	22	22	...	...	...
	Pakôkku	11	...	25	7	2	2	...
	Minbu	21	...	50	7	14	5	...
	Magwe	3	...	45	11	...	...	...
	Total ...	38	...	142	47	16	7	...
Eastern.	Kyauksè	...	...	21	8	...	...	...
	Meiktila	...	...	49	3	14	1	...
	Yamèthin	...	...	74	8	...	...	...
	Pyinmana	4	...	52	8	36	28	...
	Total ...	4	...	196	27	50	29	...
	Grand Total ...	99	...	506	168	163	96	4

Except in Mandalay executions of decrees cannot be taken out against the person, and in Mandalay a civil jail has only recently been opened. The Judge looks forward to a material check being now placed upon fraudulent dispositions of property, which are only too common among that class of people described by him as having been the hangers-on of the officials about the palace and of the palace people, who may be said to have lived and be living on their wits.

13. The following table shows the number and result of appeals preferred to the District or Deputy Commissioners' Courts from the decrees of the subordinate Courts, the number pending at the close of the year, and the average duration of appeals :—

Division.	Appellate Court.	Number of appeals preferred.*	Number of appeals disposed of.						Pending.		Average duration of appeals.
			Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of including transfers.	Total.	Over three months.	Total.	
Northern.	Mandalay ...	16	8	4	...	2	...	14	...	2	28
	Bhamo ...	9	8	...	...	1	...	9	...	...	9
	Katha ...	2	1	...	...	1	...	2	...	...	7
	Ruby Mines ...	1	1	...	...	...	...	1	...	...	9
	Shwebo ...	12	10	...	...	2	...	12	...	...	17
	Total ...	40	28	4	...	6	...	38	...	2	21
Central.	Ye-u ...	12	7	...	...	3	...	10	...	2	19
	Sagaing ...	28	11	1	...	14	...	26	...	2	24
	Lower Chindwin ...	25	18	...	...	8	...	26	...	2	30
	Upper Chindwin ...	8	5	...	...	3	...	8	...	...	22
	Total ...	73	41	1	...	28	...	70	...	6	25
Southern.	Myingyan ...	63	34	5	...	16	2	57	...	10	13
	Pakôkku ...	39	12	3	...	3	...	18	...	21	102
	Minbu ...	78	53	6	...	19	...	78	...	5	25
	Magwe ...	48	28	...	2	18	8	56	...	1	56
	Total ...	228	127	14	2	56	10	209	...	37	37
Eastern.	Kyauksè ...	9	6	1	...	2	...	9	...	...	9
	Meiktila ...	48	39	4	...	8	...	51	...	2	35
	Yamèthin ...	77	43	9	...	17	14	83	...	2	22
	Pyinmana ...	45	26	8	...	8	...	42	...	3	16
	Total ...	179	114	22	...	35	14	185	...	7	25
	Grand Total ...	520	310	41	2	125	24	502	...	52	30

*Excluding cases pending from previous year and cases received by transfer.

In over 62 per cent. of the cases disposed of the decrees of the Lower Court were confirmed. This percentage is little lower than that of Lower Burma (66) in 1889 and is high as compared with the results in corresponding Lower Appellate Courts in Bengal. When it is considered that many of the Township Judges are new to our system of law, these results speak well for the general correctness of their conclusions on matters in issue before them.

The duration of appeals (30 days) is longer than it should be. Pakôkku shows up particularly badly with 102 days. At my inspection of the Deputy Commissioner's Court in March I found that he had been for months neglecting his appellate work, both civil and criminal.

14. The following table shows the number and result of appeals to Commissioners' Courts from the decrees of the Deputy Commissioners' or District Courts, the number of appeals pending at the close of the year, and the average duration of appeals :—

Appellate Court	Number of appeals preferred.	Number of appeals disposed of.						Pending.		Average duration of appeals.
		Confirmed.	Modified.	Remanded.	Reversed	Otherwise disposed of, including transfers.	Total.	For more than three months.	Total.	
Commissioner, Northern Division ...		...	...	...	...	...	...	...	..	...
Commissioner, Central Division ...	1	1	...	...	...	...	1	...	...	...
Commissioner, Southern Division ...	...	..	...	...	...	...	...	...	...	...
Commissioner, Eastern Division ...	1	1	...	...	..	...	1	...	...	...
Total	2	2	...	...	...	...	2	...	...	...

15. The following table shows the number and result of regular appeals preferred in the Court of the Judicial Commissioner, Upper Burma, and in the Courts of the Commissioners while they exercised the powers of Judicial Commissioner :—

Division.	Court to which appeal was preferred.	Court from which appeal was preferred.	Number of appeals preferred.	Number of appeals disposed of.						Pending.
				Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of.	Total.	
Northern.	Judicial Commissioner Upper Burma.	Deputy Commissioner, Bhamo ...	1	1	...	...	...	...	1	...
		Subdivisional Officer, Mogaung ...	1		1	...	...	...	1	...
		Civil Court, Mandalay	22	11	3	...	4	...	18	4
	Commissioner as Judicial Commissioner.	Not obtainable	19	12	1	...	5	1	19	...
		Total .	43	24	5	...	9	1	39	4
Central.	To Judicial Commissioner, Upper Burma.	.....	..	...	...	...	...	...	...	...
	To Commissioner as Judicial Commissioner.	Not obtainable	1	1	...	...	...	...	1	...
		Total ...	1	1	...	...	...	...	1	...
Southern.	To Judicial Commissioner, Upper Burma.	Deputy Commissioner, Myingyan ...	1	..	...	...	1	...	1	...
		Deputy Commissioner, Minbu ...	1	...	...	...	1	...	1	...
	To Commissioner as Judicial Commissioner.	Not obtainable	2	2	...	...	...	...	2	...
		Total ...	4	2	...	..	2	..	4	...
Eastern.	To Judicial Commissioner, Upper Burma.	Deputy Commissioner, Kyaukse ...	1	...	...	1	...	...	1	...
	To Commissioner as Judicial Commissioner.	Not obtainable	1	...	1	...	...	.	1	...
		Total ...	2	...	1	1	...	...	2	...
		Grand Total ...	50	27	6	1	11	1	46	4

The proportion of decrees confirmed in my Court to the total disposed of was nearly 59 per cent.

16. The following table shows the number and result of miscellaneous appeals preferred to the Court of the Judicial Commissioner:—

Division.	Court from whose decision the appeal was made.	Number of appeals preferred.	Number of appeals disposed of.						Pending.
			Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of.	Total.	
Northern	Commissioner, Northern Division	3	2			1		3	..
	Subdivisional Officer, Mogaung ...	1		...	..		1	1	...
	Civil Court, Mandalay ...	8	4	1	...	1	2	8	..
	Total ...	12	6	1	..	2	3	12	
Central	Commissioner, Central Division	1	1	.	..	...	...	1	
	Deputy Commissioner, Myingyan ...	1	.	.	.	..	..		1
	Total ...	2	1	.	...	...	...	1	1
Eastern	Commissioner, Eastern Division	1	1	...	..	..	.	1	
	Deputy Commissioner, Yamèthin ..	2		..	..	...	1	1	1
	Total .	3	1	...	.	..	1	2	1
	Grand Total ...	17	8	1	.	2	4	15	2

The Judicial Commissioner also disposed of several miscellaneous applications for revision, &c.

17. The following table shows the number and results of applications for revisions preferred to the Judicial Commissioner, Upper Burma, and to Commissioners while they were exercising the powers of a Judicial Commissioner under section 622 of the Code of Civil Procedure and section 81 of the Upper Burma Civil Justice Regulation:—

Division	Court to which application was preferred	Court from which application was preferred.	Number of applications preferred	Number of applications disposed of						Pending.
				Confirmed.	Modified	Remanded.	Reversed	Otherwise disposed of	Total.	
Northern	To Judicial Commissioner, Upper Burma	Commissioner, Northern Division .	1	1	.	.	.	..	1	
		Deputy Commissioner Mandalay ..	1	1	..	..	..	...	1	.
		Deputy Commissioner, Shwebo .	1	1	.	.	.	.	1	..
		Civil Court, Mandalay	4	3	.	..	...	1	4	..
		Civil Court Small Cause side, Mandalay	1	1	...	..	..	.	1	..
		Subdivisional Officer Madaya	1	1				.	1	
		Subdivisional Officer, Mogaung .	1	...	..	.	1		1	
		Subdivisional Officer, Shwegu ..	1	1	.		..	..	1	...
		Myoôk, Madaya .	4	3	.	1	...		4	..
		Hlutdaw ..	1	1			...	..	1*	...
	To Commissioner as Judicial Commissioner	Not obtainable .	.	..	..	..	.	.	.	
		Total .	16	13	...	1	1	1	16	..
Central	To Judicial Commissioner Upper Burma	Commissioner Central Division .	1			..	1	.	1	.
		Deputy Commissioner, Ye-u .	1	1	...	.	.		1	.
		Deputy Commissioner, Sagaing ...	7	4	1	1	1	.	7	..
	To Commissioner as Judicial Commissioner	Not obtainable ...	..	.		.	..	..	...	.
		Total	9	5	1	1	2		9	
Southern	To Judicial Commissioner, Upper Burma.	Commissioner Southern Division	3	2	..	..	..		2	1
		Deputy Commissioner, Myingyan ..	12	8	.	.	..		8	4
		Deputy Commissioner Pakôkku ...	2	2	..	.	..		2	
		Deputy Commissioner, Minbu ...	4	3	...	.	.	.	3	1
		Deputy Commissioner Magwe ..	3	2		..	..	.	2	1
		Subdivisional Officer, Gangaw .	1	1	..	..	.	.	1	
	To Commissioner as Judicial Commissioner	Not obtainable ...	25	16	3	1	5		25	
		Total .	50	34	3	1	5		43	7
Eastern.	To Judicial Commissioner, Upper Burma	Commissioner, Eastern Division .	2	2	...	.	.	.	2	
		Deputy Commissioner, Kyauksè .	3	1	.		2	..	3	.
		Deputy Commissioner, Meiktila	7	5	1	..	...	.	6	1
		Deputy Commissioner Yamèthin ...	11	4	...		1	.	5	6
		Deputy Commissioner, Pyinmana	5	5	..	.			5	.
	To Commissioner as Judicial Commissioner	Not obtainable	28	23	.	..	5	.	28	
		Total .	56	40	1		8	.	49	7
		Grand Total ..	131	92	5	3	16	1	117	14

* An application for the revision of proceedings of the Hlutdaw before the British occupation in the matter of an inheritance case The application was rejected

III.—Miscellaneous.

18. The following table shows the financial result of the rules framed under section 20 of the Court Fees Act regulating the fees chargeable for serving processes and remuneration of peons of the Civil Court :—

Division	Name of district.	Number of processes issued.	Receipts from process fees.	Charges, including salaries of process-servers, contingencies, &c.
			Rs. A P	Rs. A P.
Northern.	Mandalay	558	449 0 0	1,592 0 0
	Bhamo	828	197 0 0	2,520 9 6
	Katha	272	212 12 0	538 6 0
	Ruby Mines	51	88 8 0	1,440 0 0
	Shwebo	851	551 12 0	659 12 11
	Civil Court, Mandalay	3,396	3,066 8 0	1,676 4 0
	Total ...	5,456	4,510 8 0	8,427 0 5
Central.	Ye-u	261	156 12 0	1,104 0 0
	Sagaing	514	852 10 0	6,079 2 2
	Lower Chindwin	995	587 0 0	1,049 5 11
	Upper Chindwin	460	241 11 0	797 8 0
	Total ...	2,230	1,838 1 0	9,030 0 1
South-ern.	Myingyan	2,344	1,722 7 0	1,339 15 0
	Pakôkku	2,064	1,218 0 0	400 8 0
	Minbu	2,254	1,760 0 0	1,828 15 6
	Magwe	1,967	1,166 0 0	1,104 0 0
	Total ...	8,629	5,866 7 0	4,668 6 6
Eastern.	Kyaukse	498	454 13 0	981 12 8
	Meiktila	1,865	1,112 11 0	389 10 0
	Yamèthin	2,348	1,471 0 0	1,256 0 0
	Pyinmana	1,522	987 11 0	319 0 0
	Total ...	6,233	4,026 3 0	2,946 6 3

The figures in the above table cannot be relied on. Some Deputy Commissioners have included as "Other contingencies" charges which should not be debited to the process-serving establishment at all and some do not appear to have shown the Bailiff's salary as a charge. Speaking generally it may be assumed that the receipts from process fees do not cover the cost of the establishment. The revision of these establishments is under consideration.

19. With so many Judges entirely new to our system of procedure and maintenance of office records the subject of inspection is one which asks for special notice; but unfortunately, with a few exceptions, the district reports do not deal with it as explicitly and fully as they should. Some, indeed, are wholly reticent about it.

In the Northern division there is no record of any inspection by the Deputy Commissioners of Bhamo, Ruby Mines, and Shwebo, while the Deputy Commissioner of Katha only mentions the Court of the Subdivisional Officer away from headquarters as having been inspected by him. In the Mandalay district Mr. Adamson, during the seven months of his incumbency, inspected the Subdivisional Courts at Madaya and Pyinulwin, and the Courts of the Singu, Madaya, and Lamaing Myoôks. The Commissioner, Northern Division, besides the Courts at the headquarters of Bhamo, Katha, Ruby Mines, and Shwebo, inspected those at Shwegu and Singu (Bhamo), Tigyaing and Kyanhnyat (Katha), Tantabin, Sheinmaga, Malè, and Kinu (Shwebo); and he also had in the Myoôks of Minlè and Shwe-ashechaung (Katha) with their registers.

In the Central division all the Courts in Sagaing were inspected by the Deputy Commissioner, and those at Ava and Myotha twice during the year. As

to inspections by other officers in the division I can say nothing. In the Southern division, except perhaps in Pakòkku, the inspection of Courts was satisfactorily performed, and I have particularly to notice the excellent work done by Mr. Todd-Naylor in Magwe, where every Court was inspected at least once and most more than once during the year. His inspections are most careful and thorough, and there cannot be a doubt that much good has resulted from the mistakes he finds being systematically pointed out to the officers and the proper system explained. In Myingyan Mr. Copleston inspected most if not all the Courts during his district tour, and in Minbu only one Court remained unvisited and that was inspected early this year.

In the Eastern division the Commissioner did a good deal of inspection work; but the District Officers, except in Yamèthin, where all the Courts were inspected several times, do not appear to have given sufficient time and attention to this duty. Besides the headquarter Courts at Pyinmana the Deputy Commissioner only inspected one Court (Wanwègôn) thoroughly, but he was absent for seven months in charge of the Yoma operations and had at the same time to carry on the current district work.

20. The Judicial Commissioner since his appointment on the 26th July last has inspected all the Courts at the headquarters of 14 out of the 17 districts of the province as well as some of the subdivisions. Speaking generally, he found the offices in fair order; and, when they were not handicapped by delay on the part of the Public Works Department in the fitting up of record-rooms, attention had been paid to carrying out the rules which have been issued as to the arrangement and classification of records and the punching of stamps. The registers were generally kept up, though not always correctly; but, as a rule, the mistakes are not serious. Much difficulty is experienced in many places in getting efficient clerks, and to this may be attributed the delay which has occurred in the submission of this report, the figures in the district statements first sent in being inconsistent and often manifestly incorrect. As it is this report is defective owing to its being impossible to obtain now for the sake of comparison the corresponding figures for 1889 in many of the tables.

G. J. S. HODGKINSON,
Judicial Commissioner, Upper Burma.

LOWER BURMA APPENDICES.

JUDICIAL STATEMENT No. I (CIVIL).

Showing the number of Judicial divisions and the number of officers exercising Appellate or Original Jurisdiction in Lower Burma on the last day of the year 1890, with the cost of tribunals.

Name of province.			Area.	Population.	Number of divisions for Courts under Chief Court, but superior to Chief Courts of districts.	Number of districts.	Number of sub-districts.	Total number of officers exercising original or appellate jurisdiction.					Total number of cases decided.				Total receipts of the Courts.	Total charges of the Courts.
								Judges of Chief Court of province.	Judges of other Courts superior to Chief District Court.	Judges of Chief Courts of Districts.	Judges of Districts other than Chief Courts.	Judges of other Subordinate Courts.	Original.		Appeals.			
													Regular.	Miscellaneous.	Regular.	Miscellaneous.		
1			2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
			Sq. miles														Rs. A. P.	Rs. A. P.
Lower Burma	Territory subject to the High Court.	Civil ...	86,205	3,722,272	4	19	31	2	4	18	...	138	35,728	5,723	1,532	85	3,72,548 8 7	5,40,782 0 2
		Criminal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....
		Revenue ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....
	Territory not subject to the High Court.	Civil ...	1,015	14,499	...	1	...	...	...	1	...	...	88	...	...	...	.....	545 12 0
		Criminal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....
		Revenue ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....
	Total ...		87,220	3,736,771	4	20	31	2	4	19	...	138	35,816	5,723	1,532	85	3,72,548 8 7	5,41,327 12 2

Remarks.			
	Grades of Judicial Officers.	Europeans.	Natives.
Officers exercising both original and appellate jurisdiction.	Judicial Commissioner ...	1	...
	Recorder of Rangoon ...	1	...
	Commissioners	4	...
	Deputy Commissioners ...	19	...
	Assistant Commissioners with appellate powers (section 23-A., Act XVII of 1875).	1	...
Officers exercising original jurisdiction only.	Small Cause Court Judges ...	3	4
	Assistant Commissioners ...	6	1
	Extra Assistant Commissioners	11	21
	Myoôks	3	21
	Unpaid Judges	...	1

JUDICIAL STATEMENT No. 7 (CIVIL).

Statement showing the number and description of suits instituted in the Civil and Revenue Courts in Lower Burma in the year 1890.

Class of tribunal.	Suits for money or moveable property.										Suits under the rent law.								Title and other suits.																
	Contract in writing.	Contract not in writing.	On account stated.	Money had and received.	Goods sold.	Wages, work, and materials.	Breach of contract not mentioned above.	Rent not falling under the rent law.	Moveable property or value thereof.	Damages.	Arrears of rent with or without ejectment or cancellment of lease.	Enhancement or abatement of rent.	Relating to distraint.	Damages for extortion or withholding receipts, or on account of illegal restraint or other cause.	For pottas or kabuliyats.	For ejectment or recovery of possession.	For recovery of money or accounts from agents.	All other suits under the rent law not included above.	Suits for immoveable property	Suits for declaratory decrees.	Other suits under the Specific Relief Act.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts, or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Administration suits.	Interpleader suits.	Dissolution of partnership.	Suits under section 261, Act X of 1865 (also Hindu Wills Act).	Other suits not falling under any of the previous heads.	Grand total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
COURTS IN THE INTERIOR.																																					
I.—Civil Courts.																																					
Unpaid Tribunals ...	18	42	...	...	94	43	...	...	24	13	...	...	...	...	...	...	...	...	2	...	...	...	...	...	...	...	6	...	...	...	...	...	...	...	...	...	212
Village Courts ...	4,669	4,954	107	970	3,347	1,173	...	553	2,374	2,731	...	...	...	...	...	...	...	...	1,244	25	18	87	20	1	2	38	448	122	77	...	...	1	...	2	...	98	23,061
Paid Subdivisional Tribunals ...	351	189	4	25	245	73	...	130	158	154	...	...	...	...	...	...	...	...	58	4	1	4	...	...	...	...	31	4	6	...	...	...	...	...	...	8	1,445
Small Cause Courts ...	1,878	737	98	292	1,271	522	...	188	306	163	...	...	...	...	...	...	...	...	1	1	...	1	...	...	...	...	...	...	1	...	...	...	...	...	...	1	5,460
District Courts other than Chief Courts of districts.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Chief Courts of Districts ...	115	3	2	48	28	6	...	4	12	30	...	...	...	...	...	...	...	...	23	3	1	82	15	3	...	...	2	16	2	...	...	29	...	4	...	6	434
Total ...	7,031	5,925	211	1,335	4,985	1,817	...	875	2,874	3,091	...	...	...	...	...	...	...	...	1,328	33	20	174	35	4	2	38	487	142	86	...	...	30	...	6	...	113	30,642
II.—Revenue Courts.																																					
Unpaid local Tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Other Subordinate Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Collectors' Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Courts at the Presidency or Seat of Government.																																					
Small Cause Court, Rangoon ...	2,142	645	24	183	681	409	...	681	135	16	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	4,916
Superior Court (Recorder's) ...	23	1	1	1	5	...	...	4	3	16	...	...	...	...	...	...	...	...	10	2	...	17	7	7	1	...	20	5	2	4	...	6	...	6	...	31	172
Total ...	2,165	646	25	184	686	409	...	685	138	32	...	...	...	...	...	...	...	...	10	2	...	17	7	7	1	...	20	5	2	4	...	6	...	6	...	31	5,088
GRAND TOTAL ...	9,196	6,571	236	1,519	5,671	2,226	...	1,560	3,012	3,123	...	...	...	...	...	...	...	...	1,338	35	20	191	42	11	3	38	507	147	88	4	...	36	...	12	...	144	35,730

JUDICIAL STATEMENT No. 8 (CIVIL).

Statement showing the number and value of suits instituted in the Civil and Revenue Courts in Lower Burma in the year 1890.

Class of tribunal.	Number of suits instituted in the different Courts.										Remarks.
	Not exceeding Rs 10	Not exceeding Rs 50	Not exceeding Rs 100	Not exceeding Rs 500	Not exceeding Rs 1,000	Not exceeding Rs 5,000	Not exceeding Rs 10,000	Exceeding Rs 10,000	Number of suits the value of which cannot be estimated in money	Total value of suits	
1	2	3	4	5	6	7	8	9	10	11	12
COURTS IN THE INTERIOR.										Rs. A P	
I.—Civil Courts.											
Unpaid Tribunals	67	95	24	30					6	8,028 8 7	
Village Courts	3,382	9,921	4,050	3,936	135	45	[illegible]	.	692	16,05,852 12 9	
Paid Subdivisional Tribunals	143	506	263	242	124	58		..	32	2,69,706 12 11	
Small Cause Courts	1,098	2,979	673	649	61	.		...		3,21,345 7 11	
District Courts other than Chief Courts of districts	..			..	.		.	..			
Chief Courts of districts	14	47	28	83	91	134	14	13	10	9,12,342 3 2	
Total .	4,774	13,548	5,958	4,940	411	237	14	13	747	31,17,975 13 4	
II.—Revenue Courts.											
Unpaid local Tribunals	..	...	...	..	...	...				..	
Other Subordinate Courts	..	...	..	.	...	...		..		..	
Collectors Courts	...	...	..		.	.			.		
Total ...						..	.				
Courts at the Presidency or Seat of Government.											
Small Cause Courts, Rangoon	443	2,088	935	1,200	163	87			.	6,32,194 2 0	
Superior Court (Recorder's)		8	5	18	13	56	15	16	41	7,44,281 3 7	
Total ...	443	2,096	940	1,218	176	143	15	16	41	13,76,475 5 7	
GRAND TOTAL ...	5,217	15,544	6,898	6,158	587	380	29	29	788	44,94,351 2 11	

JUDICIAL STATEMENT No. 9 (CIVIL).

Showing the general result of the Civil and Revenue cases in the Courts of Original Jurisdiction in Lower Burma in the year 1890.

PART I.—Civil Suits.

Class of tribunal.	Total number of suits before the Courts.	NUMBER OF SUITS DISPOSED OF										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	AVERAGE DURATION OF CASES		Remarks.
		Transferred to Courts in other provinces.	Without trial.	WITHOUT CONTEST.				ON REFERENCE TO ARBITRATION.		WITH CONTEST.				Contested.	Uncontested.	
				Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
														Days.	Days.	
COURTS IN THE INTERIOR.																
I.—Civil Courts.																
Unpaid Tribunals	243	...	39	24	80	15	...	...	...	68	9	9	...	5	3	
Village Courts	23,890	...	6,485	1,225	3,330	2,935	469	108	44	5,758	2,737	799	21	23	17	
Paid Subdivisional Tribunals	1,544	...	285	100	180	190	66	19	7	569	159	69	10	32	21	
Small Cause Courts	5,553	...	1,226	270	762	1,388	43	10	4	1,245	456	149	20	14	12	
District Courts other than Chief Courts of districts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Courts of districts	464	...	21	27	51	67	1	39	7	131	78	42	12	35	27	
Total ...	31,694	...	8,056	1,645	4,403	4,595	579	176	62	7,671	3,439	1,068	63	23	16	
II.—Revenue Courts.																
Unpaid local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Collectors' Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government.																
Small Cause Courts, Rangoon	5,312	...	802	304	570	1,969	35	...	...	890	400	342	114	22·98	22·97	
Superior Courts (Recorder's)	274	...	27	12	9	39	6	...	...	76	51	54	34	175·63	113·74	
Total ...	5,586	...	829	316	579	2,008	41	...	...	966	451	396	148	36·67	25·21	
GRAND TOTAL ...	37,280	...	8,885	1,961	4,982	6,603	620	176	62	8,637	3,890	1,464	211	24	17	

JUDICIAL STATEMENT No. 9 (CIVIL).

Showing the general result of the trial of Civil and Revenue cases in the Courts of Original Jurisdiction in Lower Burma in the year 1890.

PART II.—Miscellaneous Cases (Judicial).

Class of tribunal.	Total number of cases before the Courts.	NUMBER OF SUITS DISPOSED OF										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of cases contested and uncontested.	Remarks.
		Transferred to Courts in other provinces.	Without trial.	WITHOUT CONTEST.				ON REFERENCE TO ARBITRATION.		WITH CONTEST					
				Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
COURTS IN THE INTERIOR.														Days.	
I.—Civil Courts.															
Unpaid Tribunals	8	...	1	...	...	1	...	...	...	3	2	1	...	4	
Village Courts	2,901	...	673	158	81	202	71	7	4	1,000	577	119	1	15	
Paid Subdivisional Tribunals	343	...	47	26	10	66	23	10	5	68	64	24	2	21	
Small Cause Courts	230	...	82	6	1	3	...	6	...	88	40	4	...	6	
District Courts other than Chief Courts of districts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Courts of districts	584	...	155	3	13	118	9	1	...	197	61	27	1	16	
Total ...	4,066	...	958	193	105	390	103	24	9	1,365	744	175	4	15	
II.—Revenue Courts.															
Unpaid local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Collectors' Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government.															
Small Cause Courts, Rangoon	1,557	...	1,116	16	5	36	1	...	...	255	85	43	...	12·77	
Superior Court (Recorder's)	343	...	145	2	1	67	5	...	...	48	50	25	...	14·82	
Total ...	1,900	...	1,261	18	6	103	6	...	...	303	135	68	...	13·13	
GRAND TOTAL ...	5,966	...	2,219	211	111	493	109	24	9	1,668	879	243	4	14	

JUDICIAL STATEMENT No. 10 (CIVIL).

Statement showing the business of the Civil and Revenue Appellate Courts in Lower Burma in the year 1890.

PART I.—Appeals from Decrees.

Class of tribunal.	Total number of appeals before the Courts	Transferred to Courts in other provinces	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard ex parte.				Contested.				Pending.	Of those pending more than three months.	Average duration of appeals.	Objections under section 561, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR																	
APPEALS FROM ORIGINAL DECREES.															Days.		
A.—Civil Courts.																	
Chief Appellate Courts other than Chief Courts of districts	32	...	...	1	2	...	...	...	19	...	8	...	2	...	32	...	
Chief Appellate Courts of districts	1,340	...	37	21	68	1	8	...	702	65	295	36	107	4	26	1	
Superior Appellate Courts other than Chief Court of province ...	20	...	...	...	...	...	2	1	11	...	4	...	2	...	63	...	
Total ...	1,392	...	37	22	70	1	10	1	732	65	307	36	111	4	27	1	
B.—Revenue Courts.																	
Collectors' Appellate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or seat of Government.																	
Chief Court of province — Appeals from original decrees	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Court of province — Appeals from appellate decrees	192	...	19	1	1	...	...	...	87	10	38	11	23	...	52	...	
Chief Court of province — Civil revisions	97	...	19	19	4	...	5	1	22	4	7	3	15	...	23	...	
Total ...	289	...	38	20	5	...	5	1	109	14	45	14	38	...	44	...	
GRAND TOTAL ...	1,681	...	75	42	75	1	15	2	841	79	352	50	149	4	29	1	

JUDICIAL STATEMENT NO. 10 (CIVIL).

Showing the business of the Civil and Revenue Appellate Courts in Lower Burma in the year 1890.

PART II.—Miscellaneous Appeals (Judicial).

Class of tribunal.	Total number of appeals before the Courts.	Transferred to Courts in other provinces.*	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard ex parte				Contested.				Pending.	Of those pending more than three months.	Average duration of appeals.	Objections under section 561, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR.															Days.		
APPEALS FROM ORIGINAL DECREES.																	
A.—Civil Courts.																	
Chief Appellate Courts other than Chief Courts of districts	2	...	...	1	...	...	...	...	1	...	...	...	...	...	27	...	
Chief Appellate Courts of districts	78	...	6	2	19	3	6	4	15	4	17	...	2	1	17	...	
Superior Appellate Courts other than Chief Court of Province ...	3	...	...	...	1	...	...	...	...	...	...	...	2	...	23	...	
Total ...	83	...	6	3	20	3	6	4	16	4	17	...	4	1	17	...	
B.—Revenue Courts.																	
Collectors' Appellate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government.																	
Chief Court of province — Appeals from original decrees	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Court of province — Appeals from appellate decrees	6	...	...	...	...	...	...	...	2	1	3	...	...	...	23	...	
Total ...	6	...	...	...	...	...	...	...	2	1	3	...	...	...	23	...	
GRAND TOTAL ...	89	...	6	3	20	3	6	4	18	5	20	...	4	1	17	...	

JUDICIAL STATEMENT No. 11 (CIVIL).

Statement showing the result of proceedings on applications for the execution of the decrees of the Civil and Revenue Court in Lower Burma in the year 1890.

Class of tribunal.	Total number of applications for the execution of decrees before the Courts.	Applications disposed of: By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly infructuous.	Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	Amount realized: With the issue of process.	Without the issue of process.	Number of applications: On which the judgment-debtor was imprisoned.	On which the judgment-debtor was arrested, but released without imprisonment.	On which moveable property: Was sold.	Was attached, but subsequently released.	On which immoveable property: Was sold.	Was dealt with under sections 305, 322, or 325, Act XIV of 1882.	Was attached, but subsequently released under section 275.	On which possession was given: Of moveables.	Of immoveables.	On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than in the preceding columns.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
COURTS IN THE INTERIOR.																						
I.—Civil Courts.								Rs. A. P.	Rs. A. P.													
Unpaid Tribunals	39	...	6	...	30	3	...	227 9 0	30 0 0	...	...	1	3	...	...	1	...	...	...	...	1	
Village Courts	6,006	...	2,245	1,093	2,139	529	9	2,03,897 0 4	7,681 2 0	60	454	570	1,032	477	134	525	24	35	4	4	46	
Paid Subdivisional Tribunals ...	457	...	158	85	166	48	5	63,916 4 6	...	7	21	45	57	44	8	34	1	5	5	...	16	
Small Cause Courts	1,718	...	355	178	1,145	40	...	15,152 4 3	1,312 0 0	48	141	107	110	11	2	20	1	...	...	...	93	
District Courts other than Chief Courts of districts.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Courts of districts	320	...	94	60	140	26	...	69,827 15 8	6,282 10 0	2	17	18	17	17	...	25	7	1	2	...	48	
Superior Courts...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	8,540	...	2,858	1,416	3,620	646	14	3,53,015 1 9	15,305 12 0	117	633	741	1,219	549	144	605	33	41	11	4	204	
II.—Revenue Courts.																						
Unpaid local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Collector Court's	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government.																						
Small Cause Courts (Rangoon) ...	2,257	...	655	451	1,009	142	34	69,824 6 0	10,284 5 10	57	108	110	79	...	...	...	...	...	...	...	752	
Superior Court (Recorder's) ...	158	...	52	34	64	8	...	80,238 7 2	5,840 10 0	3	6	7	8	28	...	13	...	...	...	...	21	
Total ...	2,415	...	707	485	1,073	150	34	1,50,062 13 2	16,124 15 10	60	114	117	87	28	...	13	...	...	...	...	773	
GRAND TOTAL ...	10,955	...	3,565	1,901	4,693	796	48	5,03,077 14 11	31,430 11 10	177	747	858	1,306	577	144	618	33	41	11	4	977	

Statement showing the total value in litigation and costs for all classes of Civil cases, including executions of decrees and other miscellaneous applications, disposed of in the different classes of Courts in Lower Burma during the year 1890.

Name of district or Court.	Original.									Appeal.		
	Total number of cases.	Total value of cases.	Costs of cases. Total amount of court-fees, including process-fees.	Costs of cases. Total amount of process-fees.	Costs of cases. Total amount of diet-money paid to witnesses.	Costs of cases. Total amount of advocates' fees.	Costs of cases. Total amount of fees for commissions and other miscellaneous charges.	Costs of cases. Total.	Percentage of total costs to total value.	Total number of cases.	Total value of cases.	Costs of cases. Total amount of court-fees, including process fees.
1	2	3	4	5	6	7	8	9	10	11	12	13
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.
Akyab	1,925	2,26,579 8 6	18,794 10 0	3,428 0 0	1,312 8 0	7,132 14 11	111 8 0	27,351 8 11	12·40	36	5,039 15 6	544 5 0
Kyaukpyu	768	81,422 6 5	3,746 2 0	1,057 12 0	1,508 7 0	1,325 8 0	51 8 0	8,631 9 0	21·10	97	5,637 9 8	577 12 0
Sandoway	291	8,742 6 6	1,151 15 0	478 4 0	596 8 0	450 6 0	23 2 0	2,251 15 0	25·75	12	602 14 9	113 14 0
Arakan Hill Tracts	88	6,235 5 0	.....	.....	.....	.....	.....	.....	...	...	.....	.....
Commissioner of Arakan	...	.....	.....	.....	.....	.....	.....	.....	...	2	650 0 0	57 13 0
Total ...	3,072	2,66,999 10 5	23,722 11 0	4,964 0 0	3,417 7 0	8,908 12 11	186 2 0	36,235 0 11	13·57	147	11,990 7 11	1,293 12 0
Hanthawaddy	1,435	1,51,674 12 3	13,415 1 0	1,933 0 0	1,853 5 0	6,115 4 7	369 8 0	21,730 2 7	14·34	48	5,731 8 0	542 8 0
Pegu	2,179	2,81,329 6 2	24,726 1 9	4,157 9 0	2,130 0 0	5,856 13 0	31 0 0	32,747 0 9	11·64	89	26,647 12 10	2,089 14 0
Tharrawaddy	2,120	1,19,930 15 7	14,603 0 0	3,685 0 0	2,448 11 0	7,770 0 0	166 2 0	25,047 13 0	20·88	76	8,888 15 8	847 10 0
Prome	2,548	1,34,638 13 6	15,642 0 0	4,427 4 0	3,163 9 6	3,247 11 7	953 14 1	23,007 3 2	17·09	141	15,846 1 2	1,602 12 0
Commissioner of Pegu	...	.....	.....	.....	.....	.....	.....	.....	...	9	11,438 9 0	701 12 0
Total ...	8,282	6,87,573 15 6	68,446 2 9	14,202 13 0	9,592 9 6	22,989 15 2	1,523 8 1	1,02,552 3 6	14·92	363	68,582 14 8	5,784 8 0
Thôngwa	4,323	3,03,558 7 10	32,331 12 0	6,719 0 0	3,107 6 0	10,597 2 7	735 13 0	46,682 1 7	15·38	98	23,162 4 7	1,828 8 0
Bassein	3,615	2,58,485 13 5	26,951 6 0	5,858 0 0	4,192 14 0	14,745 2 2	410 8 0	46,290 14 2	17·91	200	31,590 11 2	2,531 4 0
Henzada	2,282	1,25,340 12 4	16,064 14 7	4,872 7 0	3,565 0 0	8,223 11 4	448 1 0	28,301 10 11	22·58	147	16,604 4 0	1,537 0 0
Thayetmyo	1,400	74,754 2 6	7,949 6 0	1,995 8 0	1,536 4 0	1,880 10 8	374 11 0	11,740 15 8	15·70	87	9,695 7 0	711 8 0
Commissioner of Irrawaddy	1	.....	34 0 0	9 0 0	6 0 0	.....	3 0 0	43 0 0	...	5	19,988 8 0	996 0 0
Total ...	11,521	7,62,139 4 1	83,331 6 7	19,444 15 0	12,407 8 0	35,356 10 9	1,972 1 0	1,33,067 10 4	17·46	537	1,01,131 2 9	7,564 4 0
Amherst	1,893	1,90,247 3 6	15,216 9 0	2,836 0 0	1,966 8 0	3,007 12 4	9 0 0	21,009 13 4	11·09	91	13,422 10 0	1,237 10 0
Shwegyin	1,507	1,07,669 10 5	9,168 12 1	3,119 2 0	2,155 8 0	4,481 7 0	8 0 0	15,813 11 1	14·69	50	7,952 8 6	1,064 4 0
Toungoo	919	95,212 9 10	8,225 5 0	1,570 8 0	1,370 4 0	4,455 6 4	180 7 0	14,231 6 4	14·94	51	9,969 8 6	727 2 0
Tavoy	573	49,460 14 3	4,275 8 0	1,189 8 0	1,347 12 0	2,113 10 3	425 1 11	8,162 0 2	16·50	70	6,790 7 4	581 8 0
Mergui	483	25,784 5 4	2,432 0 0	866 12 0	846 12 8	2,775 12 0	51 0 0	7,105 8 8	27·56	47	3,492 12 2	724 5 0
Salween	57	15,398 11 3	619 1 0	109 8 0	113 8 0	.....	.....	792 9 0	4·76	1	157 8 0	17 0 0
Judge of Moulmein	2,319	6,61,215 10 0	41,316 10 0	4,039 8 0	2,041 0 0	25,048 2 0	1,814 5 0	70,220 1 0	10·62	...	.....	.....
Commissioner of Tenasserim	...	.....	.....	.....	.....	.....	.....	.....	...	3	4,771 8 0	328 1 0
Total ...	7,751	11,45,019 0 7	82,253 13 1	13,730 14 0	9,841 4 8	42,782 1 11	2,487 13 11	1,37,365 1 7	12·00	312	46,556 14 6	4,679 14 0
Judicial Commissioner	...	.....	.....	.....	.....	.....	.....	.....	.	193	54,660 12 0	4,303 2 0
Grand Total ...	30,626	28,61,731 14 7	2,57,754 1 5	62,342 10 0	35,258 13 2	1,10,037 8 9	6,109 9 0	4,09,220 0 4	14·30	1,553	2,82,922 3 10	23,625 8 0
Rangoon Small Cause Courts	4,970	6,19,239 6 5	55,941 9 0	7,764 1 0	4,711 12 0	12,907 7 0	3,822 8 0	76,683 4 0	12·38	...	.....	.....
Recorder's Court	220	21,73,565 5 5	40,163 0 0	2,267 4 0	2,023 8 0	64,127 7 0	4,766 15 4	1,11,080 14 4	5·11	47*	.....	.....
Special Court	...	.....	.....	.....	.....	.....	.....	.....	...	17	1,63,879 12 0	6,143 12 0
Total ...	5,190	27,92,804 11 10	96,104 9 0	10,031 5 0	6,735 4 0	76,334 14 0	8,589 7 4	1,87,764 2 4	6·72	64	1,63,879 12 0	6,143 12 0
Grand Total ...	35,816	56,54,536 10 5	3,53,858 10 5	62,373 15 0	41,994 1 2	1,86,372 6 9	14,759 0 4	5,96,984 2 8	10·56	1,617	4,46,801 15 10	29,769 4 0

* Revisions.

Statement showing the total value in litigation and costs for all classes of Civil cases, including executions of decrees and other miscellaneous applications, disposed of in the different classes of Courts in Lower Burma during the year 1890—continued.

Name of district or Court.	Appeal—concluded.						Execution of decrees.					
	Costs of cases—concluded.								Costs of cases.			
	Total amount of process-fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total.	Percentage of total costs to total value.	Total number of cases.	Total value of cases.	Total amount of court-fees including process-fees.	Total amount of process-fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.
1	14	15	16	17	18	19	20	21	22	23	24	25
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Akyab	76 0 6	.....	767 4 9	132 0 0	1,443 9 9	28·64	616	99,258 12 0	1,796 8 0	1,324 0 0	0 8 0	.....
Kyaukpyu	193 0 0	8 8 0	693 3 0	.....	1,279 7 0	22·69	173	9,895 10 4	336 2 0	208 0 0	.....	50 0 0
Sandoway	30 0 9	.....	120 8 0	42 13 6	277 3 6	41·81	51	2,330 7 6	203 4 0	120 8 0	6 0 0	.....
Arakan Hill Tracts	.....	.....	.....	.....	.....	...	5	139 5 3	.....	.....	.....	.....
Commissioner of Arakan	3 0 0	.....	65 0 0	.....	122 13 0	16·89	...	.....	.....	.....	.....	.....
Total ...	302 0 0	8 8 0	1,645 15 9	174 13 6	3,123 1 3	26·05	845	1,11,674 3 1	2,335 14 0	1,661 8 0	6 8 0	50 0 0
Hanthawaddy	119 0 0	.....	919 0 0	218 10 0	1,680 2 0	29·01	353	57,760 4 7	1,149 15 0	771 0 0	2 4 0	.....
Pegu	268 0 0	.....	1,689 14 8	.....	3,779 12 8	14·18	533	1,05,379 14 6	1,970 13 7	1,142 1 0	1 8 0	42 5 3
Tharrawaddy	92 0 0	.....	839 12 3	.....	1,687 6 3	18·98	390	42,928 15 8	1,591 7 0	1,332 2 0	1 12 0	.....
Prome	390 0 0	10 4 0	1,090 0 0	497 4 0	4,100 4 0	25·88	482	47,894 1 1	1,008 8 0	745 8 0	17 0 0	.....
Commissioner of Pegu	39 0 0	.....	1,211 11 0	25 8 0	1,938 15 0	17·00	...	.....	.....	.....	.....	.....
Total ...	908 0 0	10 4 0	6,630 5 11	741 6 0	13,186 7 11	19·23	1,760	2,53,903 3 10	5,820 11 7	3,990 11 0	22 8 0	42 5 3
Thôngwa	262 0 0	12 0 0	1,063 3 2	421 5 0	3,315 0 2	14·31	809	88,736 5 11	1,619 14 0	985 0 0	2 8 0	72 8 0
Bassein	426 0 0	.....	4,747 4 6	942 2 0	8,240 10 6	26·02	894	2,17,612 3 6	1,856 7 0	1,056 8 0	4 12 0	5 0 0
Henzada	403 0 0	.....	2,308 3 8	687 3 1	4,552 6 9	27·28	315	28,006 0 1	1,040 8 0	673 8 0	6 0 0	7 8 0
Thayetmyo	178 0 0	.....	659 1 0	44 12 0	1,415 5 0	14·60	275	29,091 14 4	634 11 0	471 8 0	20 8 0	.....
Commissioner of Irrawaddy	39 0 0	.....	1,692 5 6	10 0 0	2,648 5 6	13·24	..	.....	.....	.....	.....	.....
Total ...	1,308 0 0	12 0 0	10,470 1 10	2,105 6 1	20,151 11 11	19·93	2,293	3,64,046 7 10	5,220 8 0	3,186 8 0	42 12 0	85 0 0
Amherst	210 0 0	.....	992 0 0	32 0 0	2,261 10 0	16·85	749	97,393 15 2	1,624 8 0	1,099 8 0	2 0 0	.....
Shwegyin	146 0 0	.....	148 0 0	.....	1,212 4 0	15·24	477	39,989 12 2	731 0 8	463 0 0	104 6 0	52 8 0
Toungoo	66 0 0	.....	651 4 4	.....	1,378 6 4	13·82	270	44,824 15 0	757 0 0	470 0 0	.....	.....
Tavoy	156 0 0	.....	408 6 0	358 13 8	1,348 11 8	19·85	137	21,199 2 10	258 0 0	144 8 0	3 0 0	.....
Mergui	280 2 0	.....	527 0 0	.....	1,251 5 0	35·82	201	24,358 13 6	516 14 0	343 14 0	7 8 0	.....
Salween	5 0 0	.....	.....	.....	17 0 0	10·79	13	2,753 11 9	26 0 0	20 8 0	.....	...
Judge of Moulmein	.....	.....	.....	.....	.....	...	1,158	7,09,630 12 0	2,504 0 0	2,020 9 0	14 0 0	34 0 0
Commissioner of Tenasserim	9 0 0	.....	477 2 4	13 0 0	818 3 4	17·15	...	.....	.....	.....	.....	.....
Total ...	872 2 0	.....	3,203 12 8	403 13 8	8,287 8 4	17·80	2,996	10,00,451 2 5	6,411 6 8	4,561 15 0	130 14 0	86 8 0
Judicial Commissioner	657 0 0	.....	6,959 5 10	2,460 12 0	13,723 3 10	25·11	...	.....	.....	.....	.....	.....
Grand Total ...	4,047 2 0	30 12 0	28,929 10 0	5,885 3 3	58,472 1 3	20·67	7,894	17,30,135 1 2	19,788 8 3	13,400 10 0	202 10 0	263 13 3
Rangoon Small Cause Courts	.....	.....	.....	.....	.....	...	2,115	3,48,760 14 2	4,501 5 0	3,171 3 0	12 0 0	17 0 0
Recorder's Court	.....	.....	.....	.....	.....	...	150	2,93,264 6 2	655 0 0	470 0 0	23 0 0	1,819 0 0
Special Court	96 0 0	.....	4,565 6 0	.....	10,709 2 0	6·53	...	.....	.....	.....	.....	.....
Total ...	96 0 0	.....	4,565 6 0	.....	10,709 2 0	6·53	2,265	6,42,025 4 4	5,156 5 0	3,641 3 0	35 0 0	1,836 0 0
Grand Total ...	4,143 2 0	30 12 0	33,495 0 0	5,885 3 3	69,181 3 3	19·48	10,159	23,72,160 5 6	24,944 13 3	17,041 13 0	237 10 0	2,099 13 3

Statement showing the total value in litigation and costs for all classes of Civil cases, including executions of decrees and other miscellaneous applications, disposed of in the different classes of Courts in Lower Burma during the year 1890—concluded.

Name of district or Court.	Execution of decrees—concluded. Costs of cases—concluded. Total amount of fees for commissions and other miscellaneous charges.	Total.	Percentage of total costs to total value.	Miscellaneous. Total number of cases.	Total value of cases.	Costs of cases. Total amount of court-fees, including process-fees.	Total amount of process-fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total.	Percentage of total costs to total value.
1	26	27	28	29	30	31	32	33	34	35	36	37
	Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
Akyab	211 4 0	2,008 4 0	2·02	248	59,589 0 8	599 13 0	405 0 0	82 8 0	191 8 0	35 0 0	908 13 0	1·53
Kyaukpyu	36 8 6	422 10 6	4·26	141	11,721 6 0	384 4 0	184 0 0	150 1 0	215 0 0	.....	749 5 0	6·39
Sandoway	.....	209 4 0	8·78	22	1,619 9 7	60 12 0	45 8 0	36 8 0	55 0 0	.....	122 4 0	9·40
Arakan Hill Tracts	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Commissioner of Arakan	.....	.....	...	2	2,74,000 0 0	8 9 0	3 0 0	.....	85 0 0	.....	93 9 0	0·03
Total ...	247 12 6	2,640 2 6	2·36	413	3,46,930 0 3	1,053 6 0	637 8 0	269 1 0	546 8 0	35 0 6	1,903 13 0	0·05
Hanthawaddy	76 8 0	1,228 11 1	2·13	235	45,865 1 11	687 3 0	375 0 0	273 5 0	743 0 0	33 8 0	1,737 0 0	3·78
Pegu	.....	2,014 10 10	1·91	348	1,01,749 9 10	1,442 1 6	816 0 0	410 14 0	594 4 0	.....	2,447 3 0	2·41
Tharrawaddy	10 12 0	1,703 15 6	3·97	197	14,810 15 0	561 10 0	290 0 0	302 15 0	709 8 0	.....	1,574 1 0	10·63
Prome	124 5 0	1,149 13 0	2·40	272	27,185 10 9	510 4 0	333 0 0	191 8 0	240 0 0	56 12 0	998 8 0	3·67
Commissioner of Pegu	.....	.....	...	2	.....	2 0 0	.....	.....	.....	.....	2 0 0	...
Total ...	211 9 0	6,097 1 10	2·40	1,054	1,89,611 5 6	3,203 2 0	1,814 0 0	1,178 10 0	2,286 12 0	90 4 0	6,758 12 0	3·56
Thôngwa	53 8 0	1,748 6 0	1·97	428	79,267 10 9	986 2 0	624 8 0	382 0 0	760 8 0	60 8 0	2,189 2 0	2·76
Bassein	437 9 10	2,303 12 10	1·06	659	1,18,570 0 3	1,555 12 0	861 8 0	607 4 0	1,350 2 0	116 2 0	3,629 4 0	3·06
Henzada	37 0 0	1,100 0 0	3·86	205	24,023 4 9	449 12 0	254 8 0	138 8 0	547 0 0	55 0 0	1,190 4 0	4·95
Thayetmyo	35 0 0	759 3 0	2·61	154	19,161 12 4	335 10 0	180 0 0	171 12 0	463 0 0	29 8 0	999 14 0	5·21
Commissioner of Irrawaddy	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Total ...	563 1 10	5,911 5 10	1·62	1,446	2,41,022 12 1	3,327 4 0	1,920 8 0	1,299 8 0	3,120 10 0	261 2 0	8,008 8 0	3·32
Amherst	7 4 0	1,633 12 0	1·68	280	97,648 8 3	719 9 0	397 0 0	331 0 0	262 0 0	.....	1,312 9 0	1·34
Shwegyin	.....	887 14 8	2·22	177	11,901 10 6	349 8 0	185 8 0	176 8 0	455 0 0	.....	981 0 0	8·24
Toungoo	59 0 0	816 0 0	1·82	87	14,237 0 0	290 14 0	143 0 0	66 0 0	335 0 0	10 1 0	791 15 0	4·93
Tavoy	50 12 5	305 12 5	1·43	80	37,347 6 5	253 6 0	149 8 0	92 0 0	95 0 0	155 2 0	595 15 0	1·59
Mergui	.....	524 6 0	2·16	51	5,374 6 0	211 0 0	97 0 0	80 12 0	195 0 0	.....	486 12 0	9·06
Salween	.....	28 0 0	0·04	10	12,001 15 0	61 0 0	25 0 0	13 8 0	.....	.....	74 8 0	0·62
Judge of Moulmein	800 8 0	3,352 8 0	0·44	292	2,32,753 15 3	878 10 0	568 8 0	232 0 0	1,504 0 0	570 8 0	3,185 2 0	1·37
Commissioner of Tenasserim	.....	.....	...	1	2,063 8 0	2 0 0	.....	.....	.....	.....	2 0 0	0·10
Total ...	917 8 5	7,546 5 1	0·75	978	4,13,328 5 5	2,765 15 0	1,565 8 0	991 12 0	2,846 0 0	736 2 0	7,339 13 0	1·78
Judicial Commissioner	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Grand Total ...	1,939 15 9	22,194 15 3	1·28	3,891	11,90,892 7 3	10,349 11 0	5,937 8 0	3,738 15 0	8,799 14 0	1,122 8 0	24,011 0 0	2·02
Rangoon Small Cause Courts	463 15 4	4,994 4 4	1·43	1,514	65,176 6 7	1,128 3 0	611 14 0	695 0 0	1,119 8 0	29 4 0	2,971 15 0	4·56
Recorder's Court	837 12 0	3,334 12 0	1·14	318	11,07,950 13 3	16,388 4 0	530 0 0	246 0 0	3,995 0 0	564 0 0	21,193 4 0	1·91
Special Court	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Total ...	1,301 11 4	8,329 0 4	1·30	1,832	11,73,127 3 10	17,516 7 0	1,141 14 0	941 0 0	5,114 8 0	593 4 0	24,165 3 0	2·06
Grand Total ...	3,241 11 1	30,523 15 7	1·29	5,723	23,64,019 11 1	27,866 2 0	7,079 6 0	4,679 15 0	13,914 6 0	1,715 12 0	48,176 3 0	2·04

G. B. C. P. O.—No. 881, B.S., 8-8-91—480.

UPPER BURMA APPENDICES.

JUDICIAL STATEMENT No. 1 (CIVIL).

Showing the number of Judicial Divisions and the number of Officers exercising Appellate or Original Civil Jurisdiction in Upper Burma on the last day of the year 1890 with the cost of Tribunals.

Name of province.		Area in square miles.	Population.	Number of divisions for Courts under Chief Court, but superior to Chief Courts of districts.	Number of districts.	Number of sub-districts.	Total number of officers exercising original or appellate jurisdiction.					Total number of cases decided.				Total receipts of the Courts.	Total charges of the Courts.	Remarks.		
							Judges of Chief Court of province.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of districts.	Judges of District Courts other than Chief Courts.	Judges of other subordinate Courts.	Original.		Appeals.						
												Regular.	Miscellaneous.	Regular.	Miscellaneous.					
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18		
																Rs. A. P.	Rs. A. P.	Grades of Judicial Officers.	European.	Natives.
Upper Burma. Territory subject to the High Court of Upper-Burma—Civil.	Civil ...	77,296	2,105,844	4	17	43	1	4	18*	6	153	9,281	...	540	...	1,29,013 2 7	3,93,398 2 9			
	Criminal...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	*1.—Officers exercising both Original and Appellate Jurisdiction.*		
	Revenue...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1. Judicial Commissioner	1	...
																		2. Commissioners	4	...
																		3. District Judges	17	...
																		4. Assistant Commissioners with appellate powers (section 23A, Act XVII of 1875).	2	...
Territory not subject to the High Court.	Civil ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...			
	Criminal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	*2.—Officers exercising Original Jurisdiction only.*		
	Revenue...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1. District Judges	17	...
																		2. Civil Judge, Mandalay	1	...
																		3. Small Cause Court Judge ...	1	...
																		4. Assistant Commissioners ...	10	...
																		5. Extra Assistant Commissioners ...	18	6
																		6. Myooks	22	96
																		7. Circle Officers	...	4
Total ...		77,296	2,105,844	4	17	43	1	4	18	6	153	9,281	...	540	...	1,29,013 2 7	3,93,398 2 9			

* Including the Civil Judge of Mandalay.

JUDICIAL STATEMENT No. 7 (CIVIL).

Statement showing the number and description of Civil Suits instituted in the Civil Courts of Upper Burma for the year 1890.

Class of Courts.	Suits for money or moveable property.										Suits under the rent law.								Title and other suits.																	
	Contract in writing.	Contract not in writing.	On account stated.	Money had and received.	Goods sold.	Wages, work, and materials.	Breach of contract not mentioned above.	Rent not falling under the Rent Law.	Moveable property, or value thereof.	Damages.	Arrears of rent with or without ejectment or cancellment of lease.	Enhancement or abatement of rent.	Relating to distraint.	Damages for extortion, or withholding receipts, or on account of illegal restraint or other cause.	For pottas or kabulyats.	For ejectment or recovery of possession.	For recovery of money or accounts from agents.	All other suits under the rent law not included above.	Suits for immoveable property.	Suits for declaratory decrees.	Other suits under the Specific Relief Act.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts, or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Administration suits.	Interpleader suits.	Dissolution of partnership.	Suits under section 261, Act X of 1865 (also Hindu Wills Act).	Other suits not falling under any of the previous heads.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
Unpaid tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Township Courts	1,773	1,092	120	397	845	256	...	147	632	268	...	...	...	...	...	...	...	...	1,115	7	1	48	15	2	...	7	121	22	77	...	1	...	3	4	...	53	7,028
Subdivisional tribunals ...	148	61	24	103	120	51	...	26	56	28	...	...	...	...	...	...	...	...	409	1	1	20	1	10	...	2	14	5	30	...	...	...	...	2	1	25	1,138
Cantonment Judge	4	7	1	20	17	21	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	70
The Civil Judge, Mandalay ...	435	48	2	80	211	103	...	22	19	11	...	...	...	...	...	...	...	...	100	5	...	9	1	...	...	...	8	7	9	...	...	...	...	4	...	...	1,074
Chief Courts of districts ...	2	2	...	5	2	3	...	...	2	2	...	...	...	...	...	...	...	...	4	...	...	...	...	...	...	...	...	...	3	...	...	2	...	...	...	1	23
Commissioners' Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	2,362	1,210	147	605	1,195	434	...	195	729	309	...	...	...	...	...	...	...	...	1,628	13	2	77	17	12	...	9	143	34	119	...	1	2	3	10	1	81	9,338

JUDICIAL STATEMENT No. 8 (CIVIL).

Showing the number and value of Suits instituted in the Civil Courts in Upper Burma for the year 1890.

Class of Court.	Number of suits instituted in the different Courts.									Total value of suits.	Remarks.
	Not exceeding Rs. 10.	Not exceeding Rs. 50.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Not exceeding Rs. 1,000.	Not exceeding Rs. 5,000.	Not exceeding Rs. 10,000.	Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.		
1	2	3	4	5	6	7	8	9	10	11	12
										Rs. A. P.	
Township Courts	653	3,378	1,684	1,170	2	...	...	...	140	4,36,317 9 5	
Subdivisional tribunals	66	296	190	402	94	53	6	3	29	4,77,939 14 3	
Cantonment Judge	23	34	5	8	...	...	...	...	...	2,791 4 10	
Court of the Civil Judge, Mandalay ...	74	324	172	304	74	94	9	4	19	4,66,686 8 11	
Chief Courts of districts	1	1	1	7	9	4	3	1	1	24,458 0 0	
Total ...	817	4,033	2,052	1,891	179	151	18	8	189	14,08,193 5 5	

JUDICIAL STATEMENT NO. 9 (CIVIL).

Showing the general result of the trial of Civil Suits in the Courts of Original Jurisdiction in Upper Burma for the year 1890.

Part I.—Civil Suits.

Class of tribunal.	Total number of suits before the Courts.	Number of suits disposed of: Transferred to Courts in other provinces.	Without trial.	Without contest: Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*.	On reference to arbitration: For plaintiff.	For defendant.	With contest: Judgment for plaintiff in whole or in part.	Judgment for defendant.	Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of suits: Contested.	Uncontested.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Unpaid tribunals	.....	...	.....	.....	...	...	...	...	.....	.....	.....	.....	.....	...	...	
Township Courts	7,206	...	1,061	1,277	731	507	268	216	46	2,096	769	235	52	17	13	
Subdivisional tribunals	1,214	...	171	118	106	105	35	31	10	345	214	79	11	32	21	
Cantonment Judge	70	...	20	.....	29	6	1	...	.....	13	.....	1	.....	16	10	
Civil Judge, Mandalay	1,166	...	149	81	153	392	12	4	1	195	86	87	27	32	16	
Chief Courts of districts	29	...	5	1	3	1	...	...	1	10	6	2	1	43	32	
Commissioners' Courts	.....	...	.....	.....	...	...	...	...	.....	.....	.....	.....	.....	...	...	
Total ...	9,685	...	1,406	1,477	1,028	1,011	316	251	58	2,659	1,075	404	91	20	14	

Statement No. 9 (Civil), Part II, Miscellaneous cases (Judicial), for the year ending the 31st December 1890—Blank.

JUDICIAL STATEMENT NO. 10 (CIVIL).

Showing the business of the Civil Appellate Courts in Upper Burma for the year 1890.

Part I.—Appeals from Decrees.

Class of Court.	Total number of appeals before the Court.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard ex parte.				Contested.				Pending.	Of those pending for more than three months.	Average duration of appeal.	Objections under section 561 of Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Appellate Courts other than Chief Courts of districts.	50	...	...	1	...	...	...	1	27	6	11	...	4	...	24	...	
Chief Appellate Courts of districts	516	...	...	21	33	3	4	...	257	37	110	...	51	...	22	...	
Courts of Subdivisional tribunals	30	...	...	3	3	...	2	...	9	1	9	2	1	...	2	...	
mmissioners' Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	596	...	...	25	36	3	6	1	293	44	130	2	56	...	22	...	

Statement No. 10 (Civil), Part II, for the year ending the 31st December 1890.—Blank.

JUDICIAL STATEMENT No. 11 (CIVIL).

Showing the result of proceedings on applications for the execution of the decrees of the Civil Courts in Upper Burma for the year 1890.

Class of Court.	Number of applications dealt with.					Applications disposed of.					Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	Details of entries in column 9.				Amount realized.		Number of applications		Remarks.
	Pending at the end of last year.	Filed. The decrees being those of the Court where executions taken out.	Filed. The decrees being those of other Courts transferred for execution.	Restored to the file for any cause.	Total omitting those transferred to other Courts or to the Collector.	Transferred. To another Court under section 223.	Transferred. To the Collector under section 320.	Wholly or partly satisfied.	Wholly infructuous.	Total.			Satisfaction obtained in full.	Satisfaction obtained in part.	Satisfaction obtained with the issue of process.	Satisfaction obtained without the issue of process.	With the issue of process.	Without the issue of process.	On which property was sold.	On which execution was effected otherwise.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
																	Rs. A. P.	Rs. A. P.			
Unpaid tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Township Courts	20	651	32	...	692	11	...	504	144	648	44	...	382	122	485	19	27,396 14 9	774 9 6	111	393	
Subdivisional tribunals	15	211	22	2	227	23	...	181	28	209	18	...	131	50	169	12	36,485 8 9	1,211 13 0	39	142	
Cantonment Judge	...	8	...	1	9	...	...	7	2	9	...	...	7	...	5	2	236 9 0	47 6 0	7	...	
Civil Judge, Mandalay	31	451	36	...	480	38	...	222	245	467	13	...	124	98	220	2	50,275 0 0	117 4 0	107	115	
Chief Courts of districts	2	16	25	...	39	4	...	26	11	37	2	...	19	7	18	8	55,051 15 4	238 9 0	1	25	
Total ...	68	1,337	115	3	1,447	76	...	940	430	1,370	77	...	663	277	897	43	1,69,445 15 10	2,419 9 6	265	675	

Statement No. 12 (Civil) for the year ending the 31st December 1890—Blank.

Statement No. 13 (Civil) for the year ending the 31st December 1890—Blank.

Statement showing the total value in litigation and cost for all classes of Civil Cases, including execution of decrees and other miscellaneous applications, disposed of in the different classes of Courts in the districts of Upper Burma for the year 1890.

Class of Courts.	Original.								Percentage of total costs to total value.	Appeals.								Percentage of total costs to total value.
			Costs of cases.									Costs of cases.						
	Total number of cases.	Total value of cases.	Total amount of court-fees including process-fees.	Total amount of process-fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total (columns 4, 5, 7, and 8).		Total number of cases.	Total value of cases.	Total amount of court-fees including process-fees.	Total amount of process-fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total (columns 13 15, 16, and 17).	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs.		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs.	Rs. A. P.	Rs.	Rs. A. P.	Rs.
Township Courts.																		
Mandalay	299	17,275 12 7	1,869 1 0	298 8 0	63 10 0	17 8 0	7 4 0	1,957 7 0	11·33	14	13,536 12 0	120 16 0	8 0 0	...	.....	16 1 0	136 11 0	1·01
Bhamo	252	28,624 15 7	4,665 9 0	179 12 0	78 0 0	.....	15 0 0	4,758 9 0	16·62	9	7,781 8 0	429 1 0	0 8 0	...	.....	.....	429 1 0	5·51
Katha	167	23,903 11 4	1,918 10 0	208 4 0	35 0 0	.....	62 12 0	2,016 6 0	8·44	2	327 0 0	5 4 0	2 0 0	...	.....	.....	5 4 0	1·61
Ruby Mines	25	3,726 8 6	421 14 0	29 0 0	.....	.....	.....	421 14 0	11·32	1	100 0 0	7 8 0	.....	...	.....	.....	7 8 0	7·50
Shwebo	526	23,610 13 10	2,620 15 6	322 8 0	44 8 0	5 0 0	22 10 0	2,693 1 0	11·41	12	1,769 1 8	131 3 0	21 11 0	...	.....	.....	131 3 0	7·42
Civil Judge Mandalay ...	1,079	5,20,645 10 11	31,153 6 0	2,106 4 0	670 6 0	29,580 5 3	106 15 0	61,511 0 3	11·81	...	.....	.....	.....	...	.....	.....	.....	...
Ye-u	143	8,722 2 0	814 11 0	130 8 0	12 0 0	.....	.....	826 11 0	9·48	10	881 0 0	160 10 0	16 0 0	...	46 0 0	.....	206 10 0	23·45
Saguing...	362	38,613 15 8	3,356 14 0	671 5 0	275 10 0	102 8 0	.....	3,735 0 0	9·67	52	6,283 12 11	468 3 0	69 0 0	...	.....	26 15 0	495 2 0	7·90
Lower Chindwin	342	33,029 8 4	3,359 10 0	489 0 0	170 10 0	.....	25 0 0	3,555 4 0	10·76	20	2,628 3 0	301 12 6	32 0 0	3	.....	.....	304 12 6	11·61
Upper Chindwin	181	18,509 14 3	1,770 13 0	218 5 0	35 14 0	.....	14 5 0	1,821 0 0	9·83	8	1,045 12 0	80 11 0	4 0 0	...	.....	.....	80 11 0	7·72
Myingyan	876	1,07,534 8 1	9,177 11 0	1,193 5 9	355 8 0	.....	.....	9,533 3 0	8·87	57	17,457 10 9	1,425 14 0	88 12 0	...	.....	.....	1,425 14 0	8·17
Pakôkku	813	76,658 14 9	16,960 9 0	1,018 8 0	338 8 0	.....	.....	17,299 1 0	22·57	18	2,255 2 6	441 2 0	30 8 0	...	.....	.....	441 2 0	19·56
Subdivisional Tribunals.																		
Minbu	702	90,262 7 9	6,953 12 4	1,326 4 0	615 7 0	.....	183 8 0	7,752 11 4	8·59	78	22,250 10 9	1,506 7 0	194 8 0	10	.....	74 4 0	1,590 11 0	7·15
Magwe	781	69,665 15 6	6,268 2 0	1,077 14 0	435 7 0	.....	83 4 0	6,786 13 0	9·74	89	13,218 14 6	960 0 0	128 0 0	...	.....	5 8 0	965 8 0	7·30
Kyauksè	245	18,185 11 11	1,918 8 0	376 5 0	78 5 0	270 0 0	.....	2,266 13 0	12·46	9	1,635 10 8	149 14 0	.....	...	81 12 6	.....	231 10 6	14·16
Meiktila	1,230	83,923 3 0	7,333 12 0	1,009 0 0	39 8 0	.....	1,148 3 0	8,521 7 0	10·15	51	6,632 12 0	553 10 0	50 0 0	...	.....	28 9 0	582 3 0	8·78
Commissioner, Southern Division.	...	.....	.....	.....	.....	.....	.....	.....	...	14	3,470 0 0	59 8 0	.....	...	.....	.....	59 8 0	1·71
Small Cause Courts.																		
Yamèthin	842	86,462 8 2	8,868 12 3	1,131 4 0	506 10 0	.....	979 15 0	10,355 5 3	11·98	53	24,767 12 0	1,681 12 0	248 0 0	...	.....	55 7 0	1,737 3 0	7·01
Pyinmana	416	61,444 11 10	4,913 7 0	630 8 0	263 4 0	.....	.....	5,170 11 0	8·42	42	8,470 10 3	529 2 0	23 8 0	...	.....	.....	529 2 0	6·25
Commissioner, Eastern Division.	...	.....	.....	.....	.....	.....	.....	.....	...	1	2,400 0 0	196 0 0	51 0 0	...	.....	3 8 0	199 8 0	8·31
Total ...	9,281	13,10,800 13 0	1,14,346 0 7	12,416 6 9	4,018 3 0	29,975 5 3	2,648 12 0	1,50,988 4 10	11·52	540	1,32,890 5 0	9,208 3 6	961 7 0	13	127 12 6	210 4 0	9,559 4 0	6·98

Statement showing the total value in litigation and cost for all classes of Civil Cases, including execution of decrees and other miscellaneous applications, disposed of in the different classes of Courts in the districts of Upper Burma for the year 1890—concluded.

Class of Courts.	Execution of decrees.									Miscellaneous.								
			Costs of cases.									Costs of cases.						
	Total number of cases.	Total value of cases.	Total amount of court-fees including process-fees.	Total amount of process-fees.	Total amount of diet-money paid.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total (columns 22, 24, 25, and 26).	Percentage of total costs to total value.	Total number of cases.	Total value of cases.	Total amount of court-fees including process-fees.	Total amount of process-fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total (columns 31, 33, 34, and 35).	Percentage of total costs to total value.
1	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs.		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs.
Township Courts.																		
Mandalay	29	5,213 1 1	78 8 0	24 0 0	...	25 0 0	0 8 0	104 0 0	1·99	...	.....	.....	.....	.....	.....	.....	.....	.....
Bhamo	43	22,447 15 5	113 8 0	48 0 0	18 0 0	...	.....	131 8 0	·59	...	.....	.....	.....	.....	.....	.....	.....	.....
Katha	17	1,839 2 6	60 12 0	32 0 0	2 0 0	...	.....	62 12 0	3·41	...	.....	.....	.....	.....	.....	.....	.....	.....
Ruby Mines	2	104 7 0	5 0 0	4 0 0	...	...	.....	5 0 0	4·79	...	.....	.....	.....	.....	.....	.....	.....	.....
Shwebo	30	3,491 6 6	72 7 0	13 0 0	...	...	39 9 0	112 0 0	3·21	...	.....	.....	.....	.....	.....	.....	.....	.....
Civil Judge, Mandalay ...	467	2,41,868 8 10	923 8 0	439 8 0	...	...	27 8 0	951 0 0	·39	...	.....	.....	.....	.....	.....	.....	.....	.....
Ye-u	22	1,257 14 4	27 8 0	18 0 0	5 0 0	...	.....	32 8 0	2·58	...	.....	.....	.....	.....	.....	.....	.....	.....
Sagaing	49	12,034 8 1	108 8 0	86 0 0	...	...	2 11 0	111 3 0	·92	...	.....	.....	.....	.....	.....	.....	.....	.....
Lower Chindwin	12	1,264 8 0	64 1 0	20 8 0	...	...	.....	64 1 0	5·07	...	.....	.....	.....	.....	.....	.....	.....	.....
Upper Chindwin	8	2,337 14 0	21 0 0	5 8 0	0 1 0	...	13 1 0	34 2 0	1·46	...	.....	.....	.....	.....	.....	.....	.....	.....
Myingyan	122	23,855 5 11	372 12 0	307 0 0	...	...	.....	372 12 0	1·56	...	.....	.....	.....	.....	.....	.....	.....	.....
Pakôkku	80	17,364 1 9	216 9 0	155 0 0	...	...	.....	216 9 0	1·25	...	.....	.....	.....	.....	.....	.....	.....	.....
Subdivisional Tribunals.																		
Minbu	98	25,699 8 2	319 11 0	203 0 0	4 10 0	...	2 0 0	326 5 0	1·27	...	.....	.....	.....	.....	.....	.....	.....	.....
Magwe	78	6,815 3 7	200 2 0	111 8 0	7 12 0	...	10 2 0	218 0 0	3·20	...	.....	.....	.....	.....	.....	.....	.....	.....
Kyaukse	35	3,003 6 9	142 11 0	69 0 0	...	...	.....	142 11 0	4·75	...	.....	.....	.....	.....	.....	.....	.....	.....
Meiktila	101	9,549 0 0	283 2 0	202 0 0	...	...	13 2 0	296 4 0	3·10	...	.....	.....	.....	.....	.....	.....	.....	.....
Commissioner, Southern Division.	...	.....	.....	.....	...	...	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	.....
Small Cause Courts.																		
Yamethin	85	9,453 11 11	326 6 0	158 8 0	...	...	12 0 0	338 6 0	3·58	...	.....	.....	.....	.....	.....	.....	.....	.....
Pyinmana	92	44,098 1 2	226 0 0	178 8 0	...	...	.....	226 0 0	·51	...	.....	.....	.....	.....	.....	.....	.....	.....
Commissioner, Eastern Division.	...	.....	.....	.....	...	...	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	.....
Total ...	1,370	431,697 11 6	3,562 1 0	2,075 0 0	37 7 0	25 0 0	120 9 0	3,743 1 0	·87	...	.....	.....	.....	.....	.....	.....	.....	.....

G. B. C. P. O.—No. 880, B. S., 11-8-91—480.